



AGENDA, TROY CITY COUNCIL
MONDAY, APRIL 4, 2016, 7:00 P.M.
COUNCIL CHAMBERS, CITY HALL

INVOCATION

PLEDGE OF ALLEGIANCE

ROLL CALL

Excuse Mrs. Oda
Excuse Mr. Heath

excuses by motion/second/roll call vote
“

INTRODUCTION

Craig A. Allread, new Firefighter/Paramedic

SUMMARY OF MINUTES

March 21, 2016 Meeting

motion/second/roll call vote

COMMITTEE REPORTS

Citizen comments on committee reports or agenda items – two minute limit

RESOLUTIONS

R-14-2016	Bid replacement of equipment for primary clarifiers at Wastewater Plant, \$64,000	1 st Reading
R-15-2016	Agreement w/Miami County Commissioners, McKaig Rd. paving, County to pay \$145,000	1 st Reading
R-16-2016	Authorize bidding of 2016 Paving Program, \$1,105,000	1 st Reading
R-17-2016	Agreement w/Miami Valley Communications Council, bid electric generation and transmission Supplier for City facilities and authorize agreement with selected provider	EMERGENCY 1 st Reading

ORDINANCES

O-17-2016	Amend salary ordinance for FLSA exempt employees, reorganization of Engineering & Development Offices	1 st Reading
O-18-2016	Amend salary ordinance, establish position of Program Coordinator for Recreation Dept.	1 st Reading
O-19-2016	Subordinate mortgage lien for R&E, LLC	EMERGENCY 1 st Reading
O-20-2016	Zoning of Trader Annexation, Inlots 10578 & 10579, from County zoning of A-2, General Agriculture to City zoning A, Agricultural District	PUBLIC HEARING 4-18-2016 1 st Reading
O-21-2016	Zoning of Cheney Annexation, Inlot 10574 from County zoning of R-1AAA, Single-Family, to City zoning of M-2, Light Industrial District	PUBLIC HEARING 4-18-2016 1 st Reading
O-22-2016	Rezoning of IL 9678 from M-2, Light Industrial District, and B-2, General Business District, to the single zoning of B-2, General Business District	PUBLIC HEARING 4-18-2016 1 st Reading
O-23-2016	2016 Troy Strawberry Festival Agreement	1 st Reading

COMMUNICATIONS/ANNOUNCEMENTS

COMMENTS: Mayor, Director of Public Service & Safety, Director of Law, Auditor, Council President

COMMENTS: Council

COMMENTS: Staff

COMMENTS: Audience

ADJOURN

NOTE: Committee meetings may take place prior to or following Council meeting

CITY OF TROY MISSION STATEMENT:

Through sound and prudent leadership, the City of Troy is committed to sustaining its continued prominence as a regional hub by providing a well-balanced community for its residents, businesses and visitors, consisting of a vibrant downtown, growing economic base, strong educational environment, and plentiful recreational opportunities strengthened by public/private cooperation and grounded in financial stability.

DISPOSITION OF ORDINANCES AND RESOLUTIONS

Date of Meeting: April 4, 2016

Troy City Council Meeting

DESCRIPTION	RESOLUTION NO.	1ST READING	2ND READING	3RD READING	PUBLIC HEARING	SUSPENSION	ADOPTION
Bid primary clarifier repl equipment	R-14-2016						
Agreement w/County pave McKaig	R-15-2016						
Paving Program 2016	R-16-2016						
MVCC, electric gen. supply City fac.	R-17-2016						
	ORDINANCE NO.						
Amend Salaries - reorg Eng & Dev	O-17-2016						
Amend Salaries - Recr. Program Coord	O-18-2016						
Subordination of Loan, R&E, LLC	O-19-2016						
Zoning Trader Annex - A	O-20-2016						
Zoning Cheney Annex - M-2	O-21-2016						
Rezone IL 9678, by 1201 Brukner Dr. from M-2 & B-2 to M-2	O-22-2016						
TSF - 2016	O-23-2016						

MINUTES OF COUNCIL

A regular session of Troy City Council was held Monday, March 21, 2016, at 7:00 p.m. in Council Chambers.

Members Present: Heath, Oda, Schweser, Snee, Terwilliger, Tremblay and Twiss.

Upon motion of Mrs. Snee, seconded by Mrs. Oda, Mr. Kendall was excused from this meeting by unanimous roll call vote.

Upon motion of Mr. Schweser, seconded by Mr. Twiss, Mr. Phillips was excused from this meeting by unanimous roll call vote.

Presiding Officer:	Martha A. Baker,	President of Council
Others Present:	Michael L. Beamish,	Mayor
	Patrick E. J. Titterington,	Director of Public Service and Safety
	Grant D. Kerber,	Director of Law
	John E. Frigge,	Auditor

INVOCATION: The meeting began with an invocation given by Mrs. Snee, followed by the Pledge of Allegiance.

MINUTES: The Clerk gave a summary of the minutes of the March 7, 2016 meeting of Troy City Council. There were no corrections or additions to these minutes. A motion was made by Mr. Tremblay, seconded by Mr. Twiss, to approve these minutes. Motion passed by unanimous roll call vote.

COMMITTEE REPORTS

Community & Economic Development Committee: Mr. Twiss, Chairman, reported as follows:

1. Committee recommends that Ordinance No. O-8-2016 be approved, which is the rezoning of part of OL 436 – Parcel # D08-100722 from the dual zoning of M-2, Light Industrial District, and R-4, Single-Family Residential District to M-2, Light Industrial District, and Parcel #D08-100730 from the zoning of R-4, Single-Family Residential District, to M-2, Light Industrial District.
2. Committee recommends that Ordinance No. O-9-2016 be approved, which is the rezoning of the Huelskamp Farm, IL 10577, from County Zoning A-2, General Agriculture, & F-1, Flood Plain, to City zoning R-4, Single Family Residential District.
3. Committee recommends that Ordinance No. O-10-2016 be approved, which is the rezoning of two parcels adjacent to Treasure Island Park – rezoning of IL 10575 and IL 10576 from County zoning of F-1, Flood Plain, to the City zoning of B-1, Local Retail District.
4. Committee recommends that Ordinance No. O-11-2016 be approved, which amends sections of the Zoning Code and of the fence provisions to clarify that fences are accessory structures.

Reports signed by Schweser and Twiss.

Discussion. In response to Mrs. Oda's question if O-11-2016 would prevent the fencing of an empty lot, Mr. Titterington responded that it clarifies what the City has enforced. Except for an older vacant lot that has a fence around it, no other lots are so fenced. Mrs. Oda asked about a property owner having a double lot and fencing the empty lot, with Mr. Titterington responding that if the lots are combined with the house a principle structure, both lots can be fenced, but if the lots are not combined an empty lot cannot be fenced. Mrs. Oda commented how that would not work for a property owner if the owner wanted to later sell off the vacant lot.

Finance Committee: Mr. Schweser reported as follows:

1. Committee recommends that legislation be prepared authorizing the Director of Public Service and Safety to enter into a Marina Building Lease with the Community Improvement Corporation of Troy, Ohio. Committee noted that the Ohio Constitution provides for entities such as a CIC to assist in economic development efforts including the leasing of municipal properties. A CIC is able to lease properties, with lease agreements that meet all City requirements, but do so much more quickly and efficiently, and the City would be a party to any final lease with selected tenants. To ensure that the Marina Building is leased with a final tenant(s) as soon as possible, Committee supports emergency legislation.
2. Committee recommends that legislation be prepared accepting the recommendations of the Enterprise Zone Tax Incentive Review Council (EZ TIRC) that Enterprise Zone Agreements (28, 29, 33, 34, 35 and 36) be continued as they are in full compliance; that the requests for the withdrawal of Enterprise Zone agreements 25 and 31 be approved as such agreements are nearing the expiration dates; and that the Troy Towne Park TIF be continued. As the report of the EZ TIRC must be filed with the Ohio Development Services Agency by the end of March, Committee supports emergency legislation.

Reports signed by Schweser and Tremblay.

CITIZEN COMMENTS: Stephen J. Kalmar, 436 Miami Street, regarding O-11-2016, commented that he believes the change under 521.07 is proposed due to a mistake of staff in administering the sign code when definitions were combined to get to a preferred answer. He further commented that when this was reviewed by a Law Director, he understands staff was advised that a fence could be built anywhere. Mr. Kalmar suggested that provision be removed as he feels a property owner should be able to put a fence around any lot in Troy.

RESOLUTION NO. R-12-2016

RESOLUTION ACCEPTING THE RECOMMENDATIONS OF THE TAX INCENTIVE REVIEW COUNCIL AND DECLARING AN EMERGENCY

This Resolution was given first title reading.

Mr. Tremblay moved for suspension of rules requiring three readings. Motion seconded by Mr. Heath.

Yes: Tremblay, Heath, Twiss, Snee, Oda, Terwilliger and Schweser.

No: None.

Mr. Heath moved for adoption. Motion seconded by Mr. Twiss.

Yes: Heath, Twiss, Snee, Oda, Terwilliger, Schweser and Tremblay.

No: None.

RESOLUTION ADOPTED

RESOLUTION NO. R-13-2016

RESOLUTION ACCEPTING THE RECOMMENDATIONS OF THE TAX INCENTIVE REVIEW COUNCIL FOR THE TROY TOWNE PARK TIF AND DECLARING AN EMERGENCY

This Resolution was given first title reading.

Mr. Tremblay moved for suspension of rules requiring three readings. Motion seconded by Mr. Schweser.

Yes: Twiss, Snee, Oda, Terwilliger, Schweser, Tremblay and Heath.

No: None.

Mr. Schweser moved for adoption. Motion seconded by Mr. Tremblay.

Yes: Snee, Oda, Terwilliger, Schweser, Tremblay, Heath and Twiss.

No: None.

RESOLUTION ADOPTED

ORDINANCE NO. O-8-2016

ORDINANCE CHANGING THE ZONING OF PART OF OUTLOT 436 (PARCEL DO8-100722 AND PARCEL DO8-100730) IN THE CITY OF TROY, OHIO FROM M-2, LIGHT INDUSTRIAL DISTRICT, AND R-4, SINGLE FAMILY RESIDENCE DISTRICT, TO THE ZONING OF M-2, LIGHT INDUSTRIAL DISTRICT

This Ordinance was given first title reading on February 16, 2016.

Given public hearing and second title reading on March 7, 2016.

Given third title reading.

Mr. Schweser moved for adoption. Motion seconded by Mr. Twiss.

Yes: Oda, Terwilliger, Schweser, Tremblay, Heath, Twiss and Snee.

No: None.

ORDINANCE ADOPTED

ORDINANCE NO. O-9-2016

ORDINANCE CHANGING THE ZONING OF INLOT 10577 IN THE CITY OF TROY, OHIO FROM THE MIAMI COUNTY, OHIO ZONING OF A-2 AND F-1 TO THE CITY ZONING OF R-4, SINGLE FAMILY RESIDENTIAL DISTRICT

This Ordinance was given first title reading on February 16, 2016.

Given public hearing and second title reading on March 7, 2016.

Given third title reading.

Mr. Tremblay moved for adoption. Motion seconded by Mr. Schweser.

Yes: Terwilliger, Schweser, Tremblay, Heath, Twiss, Snee and Oda.

No: None.

ORDINANCE ADOPTED

ORDINANCE NO. O-10-2016

ORDINANCE CHANGING THE ZONING OF INLOTS 10575 AND 10576 IN THE CITY OF TROY, OHIO FROM THE MIAMI COUNTY, OHIO ZONING OF F-1, FLOOD PLAIN, TO THE CITY ZONING OF B-1, LOCAL RETAIL DISTRICT

This Ordinance was given first title reading on February 16, 2016.
Given public hearing and second title reading on March 7, 2016.
Given third title reading.

Mr. Schweser moved for adoption. Motion seconded by Mr. Heath.

Yes: Schweser, Tremblay, Heath, Twiss, Snee, Oda and Terwilliger.

No: None.

ORDINANCE ADOPTED

ORDINANCE NO. O-11-2016

AN ORDINANCE AMENDING SECTION 521 OF THE CODIFIED ORDINANCES OF THE CITY OF TROY, OHIO AND SECTIONS 1133 AND 1151 OF THE ZONING CODE OF THE CITY OF TROY, OHIO RELATED TO FENCES

This Ordinance was given first title reading on February 16, 2016.
Given public hearing and second title reading on March 7, 2016.
Given third title reading.

Mr. Schweser moved for adoption. Motion seconded by Mr. Tremblay.

Yes: Tremblay, Heath, Twiss, Snee, Terwilliger and Schweser.

No: Oda.

ORDINANCE ADOPTED

ORDINANCE NO. O-16-2016

ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE AND SAFETY TO ENTER INTO A LEASE WITH THE COMMUNITY IMPROVEMENT CORPORATION OF TROY, OHIO, REGARDING THE LEASE OF THE MARINA BUILDING AND DECLARING AN EMERGENCY

This Ordinance was given first title reading.

Mr. Tremblay moved for suspension of rules requiring three readings. Motion seconded by Mr. Schweser.

Yes: Heath, Twiss, Snee, Oda, Terwilliger, Schweser and Tremblay.

No: None.

Mr. Schweser moved for adoption. Motion seconded by Mr. Heath.

Yes: Twiss, Snee, Oda, Terwilliger, Schweser, Tremblay and Heath.

No: None.

ORDINANCE ADOPTED

COMMENTS OF THE DIRECTOR OF PUBLIC SERVICE AND SAFETY: Mr. Titterington commented that Miami County would be participating in a statewide tornado drill at 9:50 a.m. on March 23. Troy's sirens will be sounded as part of this drill.

EXECUTIVE SESSION: A motion was made by Mrs. Oda, seconded by Mrs. Snee, to recess into executive session for discussion of preparing for, conducting or reviewing negotiations or bargaining sessions with public employees concerning their compensation or other terms and conditions of their employment.

Motion passed, unanimous roll call vote.

At 7:27 p.m. Council recessed into Executive session.

A motion was made by Mrs. Oda, seconded by Mrs. Snee, to return to regular session.

Motion passed by unanimous roll call vote.

At 7:47 p.m. Council returned to regular session and, there being no further business, adjourned.

COMMITTEE REPORT
TROY CITY COUNCIL

TO: Mrs. Baker, President of Council

DATE: March 29, 2016

FROM: Finance Committee

SUBJECT: **SUBORDINATION OF SBD LOAN FOR R&E, LLC**

SUMMARY REPORT: *(to be read at Council meeting)*

On March 29 this Committee met to consider recommending the subordination of an existing loan from the Small Business Development Revolving Loan Fund (SBD) to R&E, LLC from PNC Bank to Greenville Federal Bank. The original loan was approved in 2014 and payments are current. The subordination would keep the City of Troy mortgage in second position, but behind a different commercial lender.

RECOMMENDATION: *(to be read at Council meeting)*

We recommend that legislation be prepared approving the requested subordination of the SBD loan of R&E, LLC from PNC Bank to Greenville Federal Bank. We support emergency legislation so that the company can complete the refinancing as soon as possible.

Respectfully submitted,

John W. Schweser

Douglas W. Tremblay

Thomas M. Kendall, Chairman
Finance Committee

DETAILED REPORT:

On March 29, 2016 this Committee met to consider the subordination of an existing loan from the Small Business Development Revolving Loan Fund (SBD) to R&E, LLC from PNC Bank to Greenville Federal Bank. This meeting was also attended by Council Members Heath, Oda, Phillips, Snee and Terwilliger, the Director of Public Service and Safety, members of the City staff, and citizens.

In 2014, Council approved a \$470,000 loan from the Small Business Development Revolving Loan Fund (SBD) to R&E, LLC for building improvements at 650 Olympic Drive to accommodate expansion of West Troy Tool and Machine. Second mortgages on the Olympic Drive property and on the original building at 155 Marybill Drive provided collateral for the loan. The SBD loan assisted the businesses West Troy Tool & Machine and Yasotay/Global Source Manufacturing, Inc. to both grow and expand in their building space as well as in employment. R&E, LLC is now in the process of refinancing the primary bank mortgages from PNC Bank and is requesting that the City of Troy execute a subordination agreement for the new lender, Greenville Federal Bank. This would keep the City of Troy mortgage in second position, but behind a different commercial lender. The City of Troy loan principal already has been paid down to \$435,000 from the original amount of \$470,000. No additional City of Troy loan funds will be used.

RECOMMENDATION:

We recommend that legislation be prepared approving the requested subordination of the SBD loan of R&E, LLC from PNC Bank to Greenville Federal Bank. Understanding that the closing of the bank financing is pending and the approval of the subordination of the City's mortgage is required before the closing can take place, we support emergency legislation.

Cc: Council
Mayor
Mr. Kerber, Mr. Frigge, Mr. Titterington, Clerk, staff, media

COMMITTEE REPORT
TROY CITY COUNCIL

TO: Mrs. Baker, President of Council

DATE: March 29, 2016

FROM: Personnel Committee

SUBJECT: **REORGANIZATION OF ENGINEERING AND DEVELOPMENT OFFICES, ESTABLISHING POSITION OF PROGRAM COORDINATOR FOR RECREATION BOARD, AMENDING SALARY ORDINANCES**

SUMMARY REPORT: *(to be read at Council meeting)*

On March 29 this Committee met to consider a reorganization of the Engineering and Development Offices, including establishing a second Assistant Development Director position, and establishing a new position for the Recreation Board. The reorganization, with the leveling of workloads, creating a new position, and adding a second position of Assistant Development Director are to provide for greater efficiencies. The additional costs can be funded within fund balance of the General Fund, but may require a later reappropriation.

RECOMMENDATION: *(to be read at Council meeting)*

It is the recommendation of this Committee that legislation be prepared to:

1. Amend the salary ordinance for the FLSA exempt employees to move the positions of Planning and Zoning Manager and Zoning Inspector from the Office of the Engineering Division to the Department of Development,
2. Amend the salary ordinance for hourly employees to create the new position of Program Coordinator under the Recreation Board at the 2016 hourly rate of \$15.48.

While not a matter of legislation, we support increasing the authorized staffing of the position of Assistant Development Director from one to two incumbents.

Respectfully submitted,

Thomas M. Kendall

William C. Twiss

John L. Terwilliger, Chairman
Personnel Committee

DETAILED REPORT:

On March 29, 2016, Committee members Kendall and Terwilliger met to consider a reorganization of the Engineering and Development Offices and establishing a new position for the Recreation Board. This meeting was also attended by Council Members Heath, Oda, Phillips, Schweser, Snee and Tremblay, the Director of Public Service and Safety, members of the City staff, and citizens.

In 2008, the duties associated with a Planning Director/Office were assigned to the Office of the City Engineer. At the time, it was cost and time efficient to make that reorganization. An analysis of both the Engineering Office and the planning functions had indicated that planning association activities have increased by 36% for the period 2009-2015. During the same period, an analysis has indicated that the activities and responsibilities of the Development Department have remained constant. To rebalance assignments and reporting duties between those two departments, the committee was asked to consider:

COMMITTEE REPORT
PAGE TWO

1. Amending the appropriate salary ordinance to move the positions of Planning and Zoning Manager and Zoning Inspector from the Office of the Engineering Division to the Department of Development.
2. Authorizing increasing the authorized staffing of the position of Assistant Development Director from one to two at the wage range currently set for the Assistant Development Director position. At the time the second assistant position is filled, the position of Zoning Manager will be unfunded.

In 2009, when a full-time Clerk Typist in the Recreation Department retired, the position was left vacant with part-time staff providing support for various duties needed. Since 2009, the workload has increased in the number and types of recreation programs handled by the Recreation Department, Arena events have increased with additional duties, there is a need for more basic oversight of other part-time and volunteer staff, and there has been a need for more desk coverage during the hours the pool operates. There is an anticipated increase in events and programs once the Arena renovation is complete. To address the staffing needs, this committee was asked to consider creating a new full-time position of Program Coordinator under the Recreation Board at the 2016 hourly rate of \$15.48.

We understand that the financial impact to the General Fund for the balance of 2016 (based on a May 1 implementation) is estimated at \$23,800, including benefit costs. This also includes that the existing Planning and Zoning Manager position would potentially remain vacant through the rest of the year and the part-time Recreation position would potentially be eliminated. The need for a future reappropriation will be monitored.

After reviewing the information, we feel that the recommended reorganization/staff additions are prudent for the efficient operation of the City and the departments and offices involved.

RECOMMENDATION:

It is the recommendation of this Committee that legislation be prepared to:

1. Amend the salary ordinance for the FLSA exempt employees to move the positions of Planning and Zoning Manager and Zoning Inspector from the Office of the Engineering Division to the Department of Development.
2. Amend the salary ordinance for hourly employees to create the new position of Program Coordinator under the Recreation Board at the 2016 hourly rate of \$15.48.

While not a matter of legislation, we support increasing the authorized staffing of the position of Assistant Development Director from one to two incumbents.

Cc: Council
Mayor, Director of Law, City Auditor, Director of Public Service and Safety, Clerk
staff, media

COMMITTEE REPORT
TROY CITY COUNCIL

TO: Mrs. Baker, President of Council

DATE: March 29, 2016

FROM: Recreation & Parks Committee

SUBJECT: TROY STRAWBERRY FESTIVAL 2016 AGREEMENT

SUMMARY: *(to be read at Council meeting)*

On March 29 this Committee met to consider recommending an agreement related to the 2016 Troy Strawberry Festival (TSF) that will include the location to continue to be the downtown area, the levee location, areas of the Arena and stadium parking lots for the Friday night activities, and the closing of Market Street from Water Street to Staunton Road for safety. The City has a legitimate governmental interest of preserving public safety and crowd management during the festival, therefore some activities should be limited during the actual festival events and for an hour before and after the events of the day, as the hour just before and the hour following the closing are also extremely busy.

RECOMMENDATION: *(to be read at Council meeting)*

It is the recommendation of this Committee that legislation be prepared authorizing the Director of Public Service and Safety to enter into an agreement regarding the Troy Strawberry Festival to be held within the levee area and the downtown, Market Street from Water Street to Staunton Road closed for safety, and the ball field parking lot during 2016, that the Hobart Arena/ Stadium parking areas be used for the "Friday Night Events", and to include the limitation of activities during and for the hour before and after each day's event activities.

Respectfully submitted,

Robin I. Oda

Douglas W. Tremblay

Brock A. Heath, Chairman
Recreation & Parks Committee

DETAILED REPORT:

On March 29, 2016 this Committee met to consider recommending an agreement related to the 2016 Troy Strawberry Festival (TSF). The meeting was also attended by Council Members Phillips, Snee and Terwilliger, the Director of Public Service and Safety, members of the City staff, and a citizen.

We were advised that the proposal of TSF is to continue the expansion since 2014 to incorporate the downtown area and includes elements of:

- The downtown area would include the Public Square, Main Street from Mulberry Street to Plum Street (on the south side of the street and to the drive between the Safety Building and Courthouse on the north side of Main Street); Market Street from Franklin Street to Water Street, and those side streets between Water Street and Franklin Street.
- The levee area to be used is that basically East of the gazebo.
- Market Street will be closed from Water Street to Staunton Road, other than an access to the Senior Citizens Center via Staunton Road for volunteers of the Center.

- A car show will not occur during the 2016 festival.
- The downtown street closings would not start until 9 pm on Thursday, June 2, with all streets opened no later than Monday, June 6 at 7 am.
- The proposed location will not impact County operations; however, TSF has asked the County about use of County lots after the close of business on June 3.
- There is no sale or consumption of alcohol.
- There would be opening ceremonies at Prouty Plaza, but no form of a parade or walk with the event.
- Friday night events will be held at the levee area and the parking lot at the Stadium. TSF is scheduling other weekend events for the upper levee. TSF will encourage vendors at both the levee and the downtown areas to support the Miami County non-profit organizations and for the benefit of those attending events at both locations.
- The agreement will include TSF paying to the City the amount of \$7,500 to compensate for expenses over and above the average of cost of the City to support a levee only festival. This is reduced from the prior year due to economies that have been implemented and that there are no additional costs associated with a car show.
- Because of the legitimate governmental interest in preserving the public's safety and proper management of the anticipated large crowd of attendees (upwards of 100,000 attendees per day in past years), certain actions should be limited during the actual festival activities each day and for the hour before and after each day's activities of the festival, such as the carrying of weapons at the festival, having non-handicap-assist animals at the festival, and engaging in the act of writing, painting, chalking or otherwise permanently or temporarily defacing or marking on the public streets, sidewalks, alleys or other public areas in the event area during the festival. This does not interfere with attendees right to engage in this conduct at other times in this location and in other places at all times; and does not interfere with attendees right to engage in other, non-prohibited conduct during the 2016 Strawberry Festival within the event area.

RECOMMENDATION:

It is the recommendation of this Committee that legislation be prepared authorizing the Director of Public Service and Safety to enter into an agreement regarding the Troy Strawberry Festival to be held within the levee area and the downtown, Market Street from Water Street to Staunton Road closed for safety, and the ball field parking lot during 2016, that the Hobart Arena/ Stadium parking areas be used for the "Friday Night Events", and to include the limitation of activities during and for the hour before and after each day's event activities.

Cc: Council, Mayor, Law Director, Auditor, Director of Public Service and Safety, Clerk
Staff, file

COMMITTEE REPORT
TROY CITY COUNCIL

TO: Mrs. Baker, President of Council

DATE: March 29, 2016

FROM: Streets & Sidewalks Committee

SUBJECT: 2016 PAVING PROGRAM AND AGREEMENT WITH COUNTY FOR PAVING OF MCKAIG ROAD

SUMMARY REPORT: *(to be read at Council meeting)*

On March 29 this Committee met to review the listing of streets and areas proposed for the 2016 paving program. We also considered an agreement to include the paving of McKaig Road from SR 718 to South Dorset Road in this program, with the County reimbursing the City up to \$145,000 for paving of the area of McKaig Road that is in the unincorporated area. The detailed report includes the funding for elements of the paving program, and a listing of the roadway areas to be paved is listed at the end of the report.

RECOMMENDATION: *(to be read at Council meeting)*

It is the recommendation of this Committee that legislation be prepared authorizing:

1. The Director of Public Service and Safety to enter into an agreement with the Board of Miami County Commissioners regarding the paving of McKaig Road from SR 718 to South Dorset Road.
2. Authorize the Director of Public Service and Safety to advertise for bids and enter into a contract for the 2016 paving program, with such program to include the paving of McKaig Road from SR 718 to South Dorset Road, at a total cost not to exceed \$1,105,000.

We further support a future reappropriation of \$275,000 from the Capital Improvement Fund for the gross expenditure related to the McKaig Road resurfacing.

Respectfully submitted,

Brock A. Heath

Lynne B. Snee

Bobby W. Phillips, Chairman
Streets & Sidewalks Committee

DETAILED REPORT:

On March 29, 2016, this Committee met to review the proposed paving program for 2016. The meeting was also attended by Council Members Terwilliger and Tremblay, the Director of Public Service and Safety, a citizen, and members of the City staff.

The City Engineer maintains a priority list for paving, based on criteria including width of street, type and frequency of traffic, and if the life of the existing surface can be extended by other road maintenance procedures. Streets were reviewed so that those most needing attention and that could be done within the budget amount are on the list for this year. The streets to be in the program (listed below) will be milled down approximately 2" and then have approximately 1.5" of new asphalt placed. The City also coordinates with utility companies to avoid paving areas where the utility companies plan to work in the roadway in the near future. Should the bids be less than the amount authorized, additional street areas could be added to the program.

The Miami County Engineer has proposed that McKaig Road be resurfaced from SR 718 to South Dorset Road. Part of that roadway is in the unincorporated area. The County has agreed to reimburse the City for 53% of the estimated cost to pave this area of McKaig Road, or an amount up to \$145,000, with the City paying the balance. This roadway was not included in the \$800,000 budgeted for paving. Including it will require a future reappropriation of the 441 Capital Improvement Fund for the gross amount for the resurfacing of McKaig Road.

COMMITTEE REPORT
PAGE TWO

The breakdown of the proposed 2016 paving program is:

Annual Paving Program	\$ 800,000	(fund 441)
Park Department – part of bike path, Archer Park back parking lot	\$ 15,000	(fund 101.440)
Cemetery – paving various roadways	\$ 15,000	(fund 672)
McKaig Avenue/Road	\$ 275,000	(fund 441, County Reimbursement)
TOTAL	\$ 1,105,000	

RECOMMENDATION:

It is the recommendation of this Committee that legislation be prepared authorizing:

1. The Director of Public Service and Safety to enter into an agreement with the Board of Miami County Commissioners regarding the paving of McKaig Road from SR 718 to South Dorset Road.
2. Authorize the Director of Public Service and Safety to advertise for bids and enter into a contract for the 2016 paving program, with such program to include the paving of McKaig Road from SR 718 to South Dorset Road, at a total cost not to exceed \$1,105,000.

We further support a future reappropriation of \$275,000 from the Capital Improvement Fund for the gross expenditure related to the McKaig Road resurfacing.

cc: Council, Mayor, Law Director, Auditor, Director of Public Service and Safety, Clerk, staff, media

ROADWAYS TO BE INCLUDED IN THE PAVING PROGRAM

Street	From	To	Lane Miles
Leedes Road	North Dorset Road	Cul de sac	0.14
Lake Street	McKaig Avenue	Wayne Street	0.74
Drury Lane	Ridge Avenue	Lake Street	0.40
Linwood Drive	Maplecrest Drive	Stonyridge Avenue	0.74
Skylark Drive	Stonyridge Avenue	Saratoga Drive	0.90
Stephenson Drive	Stonyridge Avenue	Skylark Drive	0.96
Summit Avenue	McKaig Avenue	Wayne Street	0.84
Race Street	South Market Street	Lake Street	1.52
Cloverdale Drive	Terry Drive	Cul de sac	0.76
Catalpa Court	Cloverdale Drive	Cul de sac	0.06
Mayfield Drive	Stonyridge Avenue	Glendale Drive	0.92
North Dorset Road	Cornish Road	Lytle Road	1.20
Elmwood Avenue	Vincent Avenue	Amelia Avenue	0.32
Smith Street	South Market Street	Amelia Avenue	0.22
Amelia Street	Smith Street	Dead End	0.62
McKaig Avenue/Road	South Dorset Road	SR 718	<u>3.44</u>
Total Lane Miles			13.78

COMMITTEE REPORT
TROY CITY COUNCIL

TO: Mrs. Baker, President of Council

DATE: March 28, 2016

FROM: Utilities Committee

SUBJECT: BIDDING AUTHORIZATION, REPLACEMENT OF EQUIPMENT FOR PRIMARY CLARIFIERS AT THE
WASTEWATER TREATMENT PLANT

SUMMARY: (to be read at Council meeting)

On March 29 Committee members Terwilliger and Tremblay met regarding bidding replacement equipment for the primary clarifiers at the Wastewater Treatment Plant. Replacement of several components took place in 2015 and the remainder of the equipment needs to be replaced this year to ensure continued, uninterrupted treatment of the City's wastewater.

RECOMMENDATION: (to be read at Council meeting)

It is the recommendation of this Committee that legislation be prepared authorizing the Director of Public Service and Safety to advertise for bids and enter into a contract for the replacement of equipment associated with the primary clarifiers at the Wastewater Treatment Plant at a cost not to exceed \$64,000.

Respectfully submitted,

John L. Terwilliger

William C. Twiss

Douglas W. Tremblay, Chairman
Utilities Committee

DETAILED REPORT:

On March 29, 2016, Committee members Terwilliger and Twiss met to consider recommending that bidding be authorized for the replacement of equipment associated with the primary clarifiers located at the Wastewater Treatment Plant. This meeting was also attended by Council Members Heath, Oda, Phillips, Schweser and Snee, the Director of Public Service and Safety, a citizen, and members of the City staff.

We were advised that the existing primary clarification equipment was installed in 1995. The equipment, primarily consisting of chains and sprockets, is nearing the end of its useful life and is beginning to demonstrate unreliability. Replacement of several components took place in 2015 and the remainder of the equipment requires replacement in order to ensure continued, uninterrupted treatment of the City's wastewater. This project was included in the 2016 budget, with an estimated cost of \$64,000.

RECOMMENDATION:

It is the recommendation of this Committee that legislation be prepared authorizing the Director of Public Service and Safety to advertise for bids and enter into a contract for the replacement of equipment associated with the primary clarifiers at the Wastewater Treatment Plant at a cost not to exceed \$64,000.

Cc: Council
Mayor, Director of Law, City Auditor, Director of Public Service and Safety, Clerk
file
staff

COMMITTEE REPORT
TROY CITY COUNCIL

TO: Mrs. Baker, President of Council

DATE: March 29, 2016

FROM: Utilities Committee

SUBJECT: ELECTRIC GENERATION AND TRANSMISSION SUPPLY AGREEMENT FOR CITY ACCOUNTS

SUMMARY: (to be read at Council meeting)

On March 29 Committee members Terwilliger and Tremblay met to consider a new agreement for electric generation and transmission supply for City facilities. City staff has recommended that Troy continue to participate in the group purchasing/vendor selection through the Miami Valley Communications Commission (MVCC) for the best possible pricing for the City's municipal accounts. Approximately 20 communities participate in the MVCC process. It is estimated that the coalition of cities participating in the joint agreement will collectively save about \$2.2 million over the three years of the agreement that expires at the end of this year.

RECOMMENDATION: (to be read at Council meeting)

It is the recommendation of this Committee that legislation be prepared to:

1. Authorize MVCC and its consultant to act as procuring agents for the City of Troy to identify a competitive retail electric provider for electric generation and transmission supplier services.
2. Authorize the Director of Public Service and Safety to execute an agreement for electric generation and transmission supply services with the competitive retail service provider once that provider is identified.

MVCC has requested a commitment by May 1, and each entity must have the ability to execute a new agreement very quickly once the provider is identified since market prices changes daily and suppliers are not able to hold prices for an extended period of time. Therefore, we support emergency legislation.

Respectfully submitted,

John L. Terwilliger

William C. Twiss

Douglas W. Tremblay, Chairman
Utilities Committee

DETAILED REPORT:

On March 29, 2016, Committee members Terwilliger and Twiss met to consider recommending legislative action associated with a new agreement for electric generation and transmission supply for City facilities. This meeting was also attended by Council Members Heath, Oda, Phillips, Schweser and Snee, the Director of Public Service and Safety, a citizen, and members of the City staff.

Troy is one of approximately 20 communities/municipal organizations that participate in a regional purchasing group for electric generation and transmission supply services that is coordinated and handled by the Miami Valley Communications Council (MVCC). The current three-year agreement negotiated by MVCC for the group expires at the end of this year. MVCC has estimated that the coalition of cities participating in the current joint contract collectively will save about \$2.2 million over the three years of the agreement. MVCC's Executive Director has recommended that as energy prices are low right now, it would be better to go out for bids now, rather than later in the year. To commence the process of MVCC seeking competitive prices for electric generation supply and to produce the best possible pricing for electric generation supply for the City's municipal accounts, MVCC has requested that participating entities enact authorizing legislation that is effective by May 1.

RECOMMENDATION:

It is the recommendation of this Committee that legislation be prepared to:

1. Authorize MVCC and its consultant to act as procuring agents for the City of Troy to identify a competitive retail electric provider for electric generation and transmission supplier services.
2. Authorize the Director of Public Service and Safety to execute an agreement for electric generation and transmission supply services with the competitive retail service provider once that provider is identified.

MVCC has requested a commitment by May 1, and each entity must have the ability to execute a new agreement very quickly once the provider is identified since market prices changes daily and suppliers are not able to hold prices for an extended period of time. Therefore, we support emergency legislation.

Cc: Council
Mayor, Director of Law, City Auditor, Director of Public Service and Safety, Clerk
file
staff

RESOLUTION No. R-14-2016

Form F-14-BL-1, Inc.

**RESOLUTION AUTHORIZING THE DIRECTOR OF
PUBLIC SERVICE AND SAFETY OF THE CITY OF TROY,
OHIO TO ADVERTISE FOR BIDS AND ENTER INTO A
CONTRACT FOR THE REPLACEMENT OF EQUIPMENT
ASSOCIATED WITH THE PRIMARY CLARIFIERS AT THE
WASTEWATER TREATMENT PLANT**

WHEREAS, Council has established a need to replace equipment associated with the primary clarifiers at the Wastewater Treatment Plant,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Troy, as follows:

SECTION I: That the Director of Public Service and Safety of the City of Troy, Ohio is hereby authorized to advertise for bids and enter into a contract for replacement equipment associated with the primary clarifiers at the Wastewater Treatment Plant, in accordance with the specifications now on file in the office of the Director of Public Service and Safety, at a cost not to exceed Sixty-four Thousand and no/100 Dollars (\$64,000.00).

SECTION II: That this Resolution shall be effective at the earliest date allowed by law.

Adopted: _____

President of Council

Approved: _____

Attest: _____

Clerk of Council

Mayor

RESOLUTION No. R-15-2016

**RESOLUTION AUTHORIZING THE DIRECTOR OF
PUBLIC SERVICE AND SAFETY OF THE CITY OF TROY,
OHIO TO ENTER INTO AN AGREEMENT WITH THE
BOARD OF MIAMI COUNTY COMMISSIONERS
REGARDING THE RESURFACING OF MC KAIG ROAD**

WHEREAS, the Board of Miami County Commissioners has proposed an agreement whereby Miami County and the City of Troy would share in the cost of resurfacing McKaig Road from State Route 718 to South Dorset Road; and

WHEREAS, both the City of Troy and the Board of Commissioners of Miami County have jurisdiction over and responsibility for the maintenance of separate areas of McKaig Road from State Route 718 to South Dorset Road; and

WHEREAS, under the terms of the McKaig Road Resurfacing Agreement, the City of Troy would take the responsibility for bidding and administering the resurfacing project and the Board of Miami County Commissioners would reimburse the City for fifty-three percent of the cost of said resurfacing up to the amount of One Hundred Forty-Five Thousand and no/100 Dollars (\$145,000.00),

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Troy, as follows:

SECTION I: That the Director of Public Service and Safety of the City of Troy, Ohio is hereby authorized to enter into a McKaig Road Resurfacing Agreement with the Board of Miami County Commissioners for the resurfacing of McKaig Road from State Route 718 to South Dorset Road and to include the resurfacing of same in the City of Troy's annual paving program.

SECTION II: That this Resolution shall be effective at the earliest date allowed by law.

Adopted: _____

President of Council

Approved: _____

Attest: _____
Clerk of Council

Mayor

RESOLUTION No. R-16-2016

**RESOLUTION AUTHORIZING THE DIRECTOR OF
PUBLIC SERVICE AND SAFETY OF THE CITY OF TROY,
OHIO TO ADVERTISE FOR BIDS AND ENTER INTO A
CONTRACT FOR THE 2016 PAVING PROGRAM**

WHEREAS, Council has established a need for the paving of streets and other areas in the City of Troy, Ohio; and

WHEREAS, Council agreed to include the resurfacing of McKaig Road from SR 718 to South Dorset Road in the paving program, with a reimbursement from the Board of Miami County Commissioners for part of the cost of the resurfacing as set forth in the McKaig Road Resurfacing Agreement.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Troy, as follows:

SECTION I: That the Director of Public Service and Safety of the City of Troy, Ohio is hereby authorized to advertise for bids and enter into a contract for the paving of streets and other areas in the City of Troy, Ohio for the year 2016 at a cost not to exceed One Million, One Hundred Five Hundred Thousand and no/100 Dollars (\$1,105,000.00); this total includes Fifteen Thousand and no/100 Dollars (\$15,000.00) from the Park Department budget; Fifteen Thousand and no/100 Dollars (\$15,000.00) from the Cemetery Endowment Fund budget; and One Million, Seventy-five Thousand and no/100 Dollars (\$1,075,000.00), with Two Hundred Seventy-five Thousand and no/100 Dollars of such funds specifically designated for the McKaig Road Resurfacing portion of the project.

SECTION II: That this Resolution shall be effective at the earliest date allowed by law.

Adopted: _____

President of Council

Approved: _____

Attest: _____
Clerk of Council

Mayor

RESOLUTION No. R-17-2016

RESOLUTION AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE AND SAFETY OF THE CITY OF TROY, OHIO, TO ENTER INTO AN AGREEMENT FOR ELECTRIC GENERATION SUPPLY WITH A COMPETITIVE RETAIL ELECTRIC SERVICE PROVIDER, AND DECLARING AN EMERGENCY

WHEREAS, the City of Troy is one of several municipalities currently participating in the Miami Valley Communications Council ("MVCC") electric generation supply agreement with DPL Energy Resources, Inc. ("DPLER") for the provision of electric generation and transmission supply services through December 31, 2016 (collectively referred to as the "Participating Municipalities"); and

WHEREAS, in accordance with the Public Utilities Commission of Ohio rules and regulations, the Participating Municipalities have the opportunity to maximize savings on the generation and transmission portion of their electric service costs through the selection of a competitive retail electric service provider; and

WHEREAS, the Participating Municipalities desire to seek competitive pricing for a new electric generation and transmission supply service agreement ("Agreement") for municipal accounts; and

WHEREAS, the Participating Municipalities desire to authorize MVCC and its Executive Director to act as procuring agents, along with any consultant utilized by MVCC (collectively, the "Procuring Agents") to seek competitive pricing for electric generation and transmission supply services; and

WHEREAS, time is of the essence in securing the best possible electric generation and transmission supply rates and the Participating Municipalities will need to be able to sign a new Agreement immediately upon identifying the lowest and best competitive supplier due to market pricing requirements and deadlines; and

WHEREAS, the Participating Municipalities desire to authorize their respective City Managers to enter into a new Agreement with the lowest and best competitive supplier immediately after the Procuring Agents have identified and recommended such supplier.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Troy, Ohio as follows:

SECTION I: MVCC and its Executive Director along with any consultant utilized by MVCC, are hereby authorized to act as Procuring Agents to identify a competitive retail electric service provider for electric generation and transmission supply services. However, nothing in this Ordinance shall authorize such Procuring Agents to contractually bind the City to accept or enter into an Agreement with any such service provider, or to otherwise bind the City.

SECTION II: That the Director of Public Service and Safety of the City of Troy, Ohio, is hereby authorized to execute an Agreement and any other necessary documents on behalf of the City of Troy for electric generation and transmission supply services with a competitive retail electric service provider.

SECTION III: That this Resolution is an emergency measure necessary for the immediate preservation of the public peace, health and safety of the City of Troy, and for the further reasons that Participating Municipalities must be able to sign a new contract immediately upon identifying the lowest and best competitive supplier in order to secure such rate and leverage the buying power of the group, **NOW, WHEREFORE**, this Resolution shall be effective immediately upon its adoption and approval by the Mayor.

Adopted: _____

President of Council

Approved: _____

Attest: _____

Clerk of Council

Mayor

ORDINANCE No. O-17-2016

Don Legal P.C., Inc.

**ORDINANCE AMENDING ORDINANCE NO. O-46-2015,
FIXING SALARIES AND WAGES OF CERTAIN
EMPLOYEES OF THE CITY OF TROY, OHIO, AND
DECLARING AN EMERGENCY**

BE IT ORDAINED by the Council of the City of Troy, Ohio, at least two-thirds of the members thereof concurring as follows:

SECTION I: That Section III and Section IV of Ordinance No. O-46-2015, attached hereto as Exhibit A, are hereby repealed as of the effective date of this Ordinance.

SECTION II: That Section III of Ordinance No. O-46-2015 is hereby enacted as follows as of the effective date of this Ordinance:

SECTION III: That the following employees of the Office of the Engineering Division shall receive salaries within the following salary ranges:

PAY GRADE	POSITION	ANNUAL SALARY RANGE EFFECTIVE DATE OF ORDINANCE	ANNUAL SALARY RANGE EFFECTIVE JAN. 1, 2017	ANNUAL SALARY RANGE EFFECTIVE JAN. 1, 2018
MGT - 6	City Engineer	\$ 86,718.92 - \$104,815.08	\$ 88,453.30 - \$106,911.38	\$ 90,222.37 - \$109,049.61
MGT - 5	Assistant City Engineer	\$ 77,827.83 - \$ 96,365.67	\$ 79,384.39 - \$ 98,292.98	\$ 80,972.08 - \$100,258.84
MGT - 5	Operations Superintendent	\$ 77,827.83 - \$ 96,365.67	\$ 79,384.39 - \$ 98,292.98	\$ 80,972.08 - \$100,258.84
MGT - 4	Project Manager	\$ 71,577.81 - \$ 84,026.33	\$ 73,009.37 - \$ 85,706.86	\$ 74,489.56 - \$ 87,421.00

SECTION III: That Section IV of Ordinance No. O-46-2015 is hereby enacted as follows as of the effective date of this Ordinance:

SECTION IV: That the following employees of the Department of Development shall receive salaries within the following salary ranges:

PAY GRADE	POSITION	ANNUAL SALARY RANGE EFFECTIVE DATE OF ORDINANCE	ANNUAL SALARY RANGE EFFECTIVE JAN. 1, 2017	ANNUAL SALARY RANGE EFFECTIVE JAN. 1, 2018
MGT - 5	Development Director	\$ 77,827.83 - \$ 96,365.67	\$ 79,384.39 - \$ 98,292.98	\$ 80,972.08 - \$100,258.84
MGT - 4	Assistant Development Director	\$ 71,577.81 - \$ 84,026.33	\$ 73,009.37 - \$ 85,706.86	\$ 74,489.56 - \$ 87,421.00
MGT - 3	Planning and Zoning Manager	\$ 64,463.66 - \$ 76,038.08	\$ 65,752.93 - \$ 77,558.84	\$ 67,067.99 - \$ 79,110.02
MGT - 1	Zoning Inspector	\$ 48,954.85 - \$ 57,357.68	\$ 49,933.95 - \$ 58,504.83	\$ 50,932.63 - \$ 59,674.93

SECTION IV: That Exhibit B, attached hereto as a part of this Ordinance, establishes an evaluator and the entity(s) that establishes the compensation for each of the positions covered by this Ordinance. The evaluation process shall be as follows:

- The incumbent in the position listed herein shall be evaluated in December of each year, or on his anniversary date.
- The evaluator shall make a recommendation to the Appointing Authority of each incumbent.
- The evaluation and recommendation shall be considered by the entity(s) that establishes the compensation, which entity(s) shall then establish the salary for the incumbent.
- The salary may be based on a cost of living adjustment and/or merit.

SECTION V: That this Ordinance shall be effective at the earliest date allowed by law.

Adopted: _____

President of Council

Approved: _____

Attest: _____
Clerk of Council

Mayor

EXHIBIT A – SECTIONS III AND IV OF O-46-2015

PAY GRADE	POSITION	ANNUAL SALARY RANGE EFFECTIVE JAN. 1, 2016	ANNUAL SALARY RANGE EFFECTIVE JAN. 1, 2017	ANNUAL SALARY RANGE EFFECTIVE JAN. 1, 2018
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SECTION III: That the following employees of the Office of the Engineering Division shall receive salaries within the following salary ranges:

MGT – 6	City Engineer	\$ 86,718.92 - \$104,815.08	\$ 88,453.30 - \$106,911.38	\$ 90,222.37 - \$109,049.61
MGT – 5	Assistant City Engineer	\$ 77,827.83 - \$ 96,365.67	\$ 79,384.39 - \$ 98,292.98	\$ 80,972.08 - \$100,258.84
MGT – 5	Operations Superintendent	\$ 77,827.83 - \$ 96,365.67	\$ 79,384.39 - \$ 98,292.98	\$ 80,972.08 - \$100,258.84
MGT – 4	Project Manager	\$ 71,577.81 - \$ 84,026.33	\$ 73,009.37 - \$ 85,706.86	\$ 74,469.56 - \$ 87,421.00
MGT – 3	Planning and Zoning Manager	\$ 64,463.66 - \$ 76,038.08	\$ 65,752.93 - \$ 77,558.84	\$ 67,067.99 - \$ 79,110.02
MGT – 1	Zoning Inspector	\$ 48,954.85 - \$ 57,357.68	\$ 49,933.95 - \$ 58,504.83	\$ 50,932.63 - \$ 59,574.93

SECTION IV: That the following employees of the Department of Development shall receive salaries within the following salary ranges:

MGT – 5	Development Director	\$ 77,827.83 - \$ 96,365.67	\$ 79,384.39 - \$ 98,292.98	\$ 80,972.08 - \$100,258.84
MGT – 4	Assistant Development Director	\$ 71,577.81 - \$ 84,026.33	\$ 73,009.37 - \$ 85,706.86	\$ 74,469.56 - \$ 87,421.00

EXHIBIT B

POSITION	EVALUATOR	COMPENSATION ESTABLISHED BY
Director of Public Service and Safety	Mayor	Mayor, President of Council, Personnel Committee Chairman
Police Chief	Director of Public Service and Safety	Mayor, Director of Public Service and Safety, President of Council
Fire Chief	Director of Public Service and Safety	Mayor, Director of Public Service and Safety, President of Council
Fiscal Manager	Director of Public Service and Safety	Director of Public Service and Safety
Development Director	Director of Public Service and Safety	Director of Public Service and Safety
Human Resources Director	Director of Public Service and Safety	Director of Public Service and Safety
Administrative Assistant	Director of Public Service and Safety	Director of Public Service and Safety
Cemetery Superintendent	Director of Public Service and Safety	Director of Public Service and Safety
Management Analyst	Director of Public Service and Safety	Director of Public Service and Safety
Assistant Dir. of Public Service/Safety	Director of Public Service and Safety	Director of Public Service and Safety
Assistant Fire Chief	Fire Chief	Director of Public Service and Safety
City Engineer	Director of Public Service and Safety	Director of Public Service and Safety
Operations Superintendent	Director of Public Service and Safety	Director of Public Service and Safety <i>(position not abolished, but unfunded)</i>
WWTP Superintendent	Director of Public Service and Safety	Director of Public Service and Safety
WTP Superintendent	Director of Public Service and Safety	Director of Public Service and Safety
Assistant WWTP Superintendent	WWTP Superintendent	Director of Public Service and Safety
Assistant WTP Superintendent	WTP Superintendent	Director of Public Service and Safety
Assistant Development Director	Development Director	Director of Public Service and Safety
Planning and Zoning Manager	Development Director	Director of Public Service and Safety
Zoning Inspector	Development Director	Director of Public Service and Safety
Account Supervisor (O-33-2010)	Fiscal Manager	Director of Public Service and Safety
Assistant City Engineer	City Engineer	Director of Public Service and Safety
Project Manager	City Engineer	Director of Public Service and Safety
MIS Manager	Director of Public Service and Safety	Director of Public Service and Safety
MIS Technician with GIS	MIS Manager	Director of Public Service and Safety
MIS Technician	MIS Manager	Director of Public Service and Safety
Recreation Director	Recreation Board	Recreation Board, Director of Public Service and Safety
Assistant Recreation Director	Recreation Director	Recreation Board, Director of Public Service and Safety
Operations Manager – Arena	Recreation Director	Recreation Board, Director of Public Service and Safety
Concessions/Food & Bev. Mgr.	Recreation Director	Recreation Board, Director of Public Service and Safety
Superintendent of Parks	Board of Park Commissioners	Park Board President, Director of Public Service and Safety
Director of Golf	Board of Park Commissioners	Park Board President, Director of Public Service and Safety
Groundskeeper	Board of Park Commissioners	Park Board President, Director of Public Service and Safety

ORDINANCE No. O-18-2016

Dayton Lee, Blank, Inc.

**ORDINANCE AMENDING ORDINANCE NO. O-45-2015,
FIXING SALARIES AND WAGES OF CERTAIN EMPLOYEES
OF THE CITY OF TROY, OHIO**

BE IT ORDAINED by the Council of the City of Troy, Ohio, as follows:

SECTION I: That Section V, Recreation Board, of Ordinance No. O-45-2015, as attached hereto as Exhibit A, is hereby repealed the effective date of this Ordinance.

SECTION II: That Section V, Recreation Board, of Ordinance No. O-45-2015, is hereby adopted as follows the effective date of this Ordinance:

"SECTION V. RECREATION BOARD. That the employees of the Recreation Board shall receive the following hourly rates:

	EFFECTIVE DATE ORD. EFFECTIVE	EFFECTIVE JAN. 1, 2017	EFFECTIVE JAN. 1, 2018	
Secretary A	\$21.32	\$21.75	\$22.19	hr.
Secretary B	\$19.94	\$20.34	\$20.75	hr.
Clerk Typist A	\$19.16	\$19.54	\$19.93	hr.
Clerk Typist B	\$16.41	\$16.74	\$17.07	hr.
Clerk Typist C	\$15.48	\$15.79	\$16.11	hr.
Officer Manager - Hobart Arena	\$21.63	\$22.06	\$22.50	hr.
Program Coordinator	\$15.48	\$15.79	\$16.11	hr.
Building Supervisor I (Grandfathered)	\$30.06	\$30.66	\$31.27	hr.
Facility Operator 2	\$23.85	\$24.33	\$24.82	hr.
Facility Operator 1	\$18.68	\$19.05	\$19.43	hr.

SECTION III: That this Ordinance shall be effective at the earliest date allowed by law.

Adopted: _____

President of Council

Approved: _____

Attest: _____
Clerk of Council

Mayor

EXHIBIT A

SECTION V: RECREATION BOARD. That the employees of the Recreation Board shall receive the following hourly rates:

Secretary A	\$21.32	\$21.75	\$22.19	hr.
Secretary B	\$19.94	\$20.34	\$20.75	hr.
Clerk Typist A	\$19.16	\$19.54	\$19.93	hr.
Clerk Typist B	\$16.41	\$16.74	\$17.07	hr.
Clerk Typist C	\$15.48	\$15.79	\$16.11	hr.
Officer Manager - Hobart Arena	\$21.63	\$22.06	\$22.50	hr.
Building Supervisor I (Grandfathered)	\$30.06	\$30.66	\$31.27	hr.
Facility Operator 2	\$23.85	\$24.33	\$24.82	hr.
Facility Operator 1	\$18.68	\$19.05	\$19.43	hr.

ORDINANCE No. 0-19-2016

Troy Legal Blank, Inc.

ORDINANCE SUBORDINATING A MORTGAGE LIEN FOR R&E, LLC AND DECLARING AN EMERGENCY

WHEREAS, the City of Troy received a mortgage lien on properties located at 650 Olympic Drive and on 155 Marybill Drive as security for a loan to R&E, LLC, and

WHEREAS, the property owner is refinancing with a new private commercial bank loan from Greenville Federal, which is requiring a new first mortgage as security on both properties and is requesting the City of Troy subordinate its existing second mortgage, and

WHEREAS, the property owner is current in loan repayments to the City of Troy,

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Troy, Ohio, as follows:

SECTION I: That the Director of Public Service and Safety is hereby authorized to execute any documents necessary for the subordination of the lien on R&E, LLC from the City of Troy, Ohio to that of Greenville Federal.

SECTION II: That the Law Director is hereby authorized and directed to cause the recording of any documents, to take any other action necessary, and to see that such subordination is properly filed and recorded.

SECTION III: That this Ordinance is an emergency measure necessary for the immediate preservation of the public peace, health, and safety of the City of Troy, Ohio, and for the further reason that the property owner needs to close on the new bank loan as soon as possible to pay off the previous private loans, **NOW, WHEREFORE**, this Ordinance shall be effective immediately upon its adoption and approval by the Mayor.

Adopted: _____

President of Council

Approved: _____

Attest: _____
Clerk of Council

Mayor



City of Troy

MEMORANDUM

TO: Mrs. Baker, President, Troy City Council
FROM: Sue Knight, for the Troy Planning Commission
DATE: March 20, 2016

SUBJECT: REPORT OF THE PLANNING COMMISSION ON THE REZONING OF THE PROPERTIES KNOWN AS THE TRADER ANNEXATION, INLOTS 10578 AND 10579, TWO PARCELS FOR A TOTAL OF 34.469 ACRES, FROM THE COUNTY ZONING OF A-2, GENERAL AGRICULTURE, TO THE CITY ZONING OF A, AGRICULTURAL DISTRICT

On March 9, 2016 the Troy Planning Commission considered the rezoning the properties known as the Trader Annexation, Inlots 10578 and 10579. There are two parcels for a total of 34.469 acres. The requested rezoning is from the County zoning of A-2, General Agriculture, to the City zoning of A, Agricultural District. This property is located east of DeWeese Road and north of Troy-Urbana Road. The property owner/rezoning applicant is Harold E. Trader, LLC. Staff advised that the applicant is seeking a City zoning that will continue the agricultural use.

The Planning Commission determined not to hold a public hearing on this rezoning application.

By unanimous vote, the Troy Planning Commission recommends to Troy City Council that Inlots 10578 and 10579, known as the Trader Annexation, be rezoned from the County zoning of A-2, General Agriculture District, to the City of Troy zoning of A, Agricultural District, based on the findings of staff that:

- The proposed rezoning is consistent with the intent and purposes of the City of Troy Zoning Code;
- The proposed rezoning is consistent with the surrounding zoning districts;
- Proposed use is consistent with the requested zoning district and the proposed City of Troy zoning district; and
- The proposed rezoning is consistent with the City of Troy Comprehensive Plan.

Attached is a copy of the information reviewed by the Commission. This request is forwarded herewith to Council for

The Public Hearing before Council has been set for the April 18 meeting of Council.

encl.

TO:	Troy Planning Commission
FROM:	Planning Staff
DATE:	March 9, 2016
SUBJECT:	Rezoning: K30-042350 (50.818 ac.) & K30-048707 (1.014 ac.)
OWNER:	Harold Trader Trustee
APPLICANT:	Harold Trader

BACKGROUND: 33464

Harold Trader has applied for Planning Commission to consider the rezoning of parcels K30-042350 (50.818-ac.) and K30-048707 (1.014 ac.) located east of DeWeese Road and north of Troy-Urbana Road. Currently, the properties are county zoned A-2 General-Agriculture and the applicant requests that the zoning of the parcels be rezoned to city zoning of Agriculture.

The land is currently undeveloped and located east of DeWeese Road and north of Troy-Urbana Road. The surrounding zoning districts include County Zoning of A-2 General Agriculture to the north and east, County zoning of R-1AAA Single-Family Residential to the south, and City of Troy Zoning of R-1 Single-Family to the west of the parcel. A map depicting the city and county surrounding zoning districts have been attached to this report.

DISCUSSION:

The applicant has cited that the reason for the annexation/proposed rezoning is to keep the land agricultural while having the property located within city limits. It is the owners intent to continue to farm this land in the immediate future.

The Zoning Code describes the proposed Agriculture zoning district as "designated to provide for agricultural activity on large tracts and areas of open land containing a minimum of twenty (20) acres. Certain public and semi-public uses intended to serve residential development are permitted. This district will be mapped in undeveloped areas at the outer periphery of the City where there is minimal water and sewer service."

Attached to this report is a list of all the Agricultural zoning districts uses.

The Comprehensive Plan's Future Land Use Map (Figure 14-2) displays this property as future residential use. Specifically, in Chapter 14, under the Northeast Sub-Area, the Comprehensive Plan states "The desired future residential development for this area is low-density residential, due to the both the characteristics of the land and the adjacent uses to the south. The existing road network cannot support unrestricted or increased numbers of similar residential densities. With future improvements to the road network, however, higher densities could be accommodated. Future residential development should be commensurate with the changing needs of the Troy community as reflected in the Comprehensive Plan. To achieve the City's desire housing diversity, a low-density

designation of 2.18 units an acre, translating to a minimum of 20,000 square feet lots is needed..." A copy of Figure 14-2 has been attached to this report.

In reviewing a rezoning proposal, Section 1139.07 outlines the criteria on which to base decisions:

(A) Whether the change in classification would be consistent with the intent and purpose of this Zoning Code.

The proposed rezoning is consistent with the Zoning Code. Section 1131.02(o) & (r) state the purposes of the Zoning Code are to preserve and enhance property value, and direct particular land uses to the parcel of land best suited for them. The proposed rezoning request achieves these purposes.

(B) Whether the proposed amendment is made necessary because of changed or changing conditions in the area affected, and, if so, the nature of such changed or changing conditions.

The proposed rezoning is not made necessary because of changing conditions in the affected area. The proposed use will not have any adverse effects in the area and is similar to the county zoned General Agricultural that exist to the north and east.

(C) Whether the uses that would be permitted on the property if it were reclassified would be compatible with the uses permitted on other property in the immediate vicinity.

The proposed use is compatible and similar to the county zoned General Agricultural that currently exist to north and east.

(D) Whether adequate utility, sewer, and water facilities, and all other needed public services exist or can be provided to serve the uses that would be permitted on a property if it were reclassified.

All utilities can be provided.

(E) The amount of vacant land that currently has the same zoning classification as is proposed for the subject property, particularly in the vicinity of the subject property, and any special circumstances, in any, that make a substantial part of such vacant land unavailable for development.

In the vicinity of the subject property, there is no available vacant land in the city zoned with the Agriculture zoning classification.

(F) Whether the proposed amendment would correct an error in the application of this Zoning Code as applied to the subject property.

Not applicable in this request.

PUBLIC HEARING:

Due to the straight forward nature of the rezoning request, the compliance with the City of Troy Comprehensive Plan, and the fact that City Council is required to hold a public hearing if the request proceeds on, staff does not feel that a public hearing before the Planning Commission is warranted.

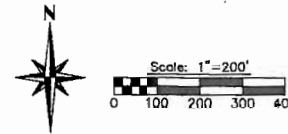
RECOMMENDATION:

Staff is recommending that the Planning Commission recommend approval of the proposed rezoning from county zoning of General Agriculture to city zoned Agriculture, based on the following:

- The proposed rezoning is consistent with the intent and purposes of the City of Troy Zoning Code; and
- The proposed rezoning is consistent with the surrounding zoning districts; and
- Proposed use is consistent with the current county zoning district and the proposed City of Troy zoning district; and
- The proposed rezoning is consistent with the City of Troy Comprehensive Plan.

Annexation to the City of Troy

Town 1, Range 11BTMRS, Section 7 &
Town 1, Range 10BTMRS, Section 12
Staunton Township, Miami County, Ohio
Containing 34.469 Acres



PLAT BOOK 25 PAGE 80
MIAMI COUNTY RECORDER'S RECORD OF PLATS

MIAMI COUNTY RECORDER
JESSICA A. LOPEZ
2016P-00009
PRESENTED FOR RECORD
MIAMI COUNTY, TROY, OHIO
02/11/2016 2:10:09 PM
REFERENCES
PAGE 5: 1

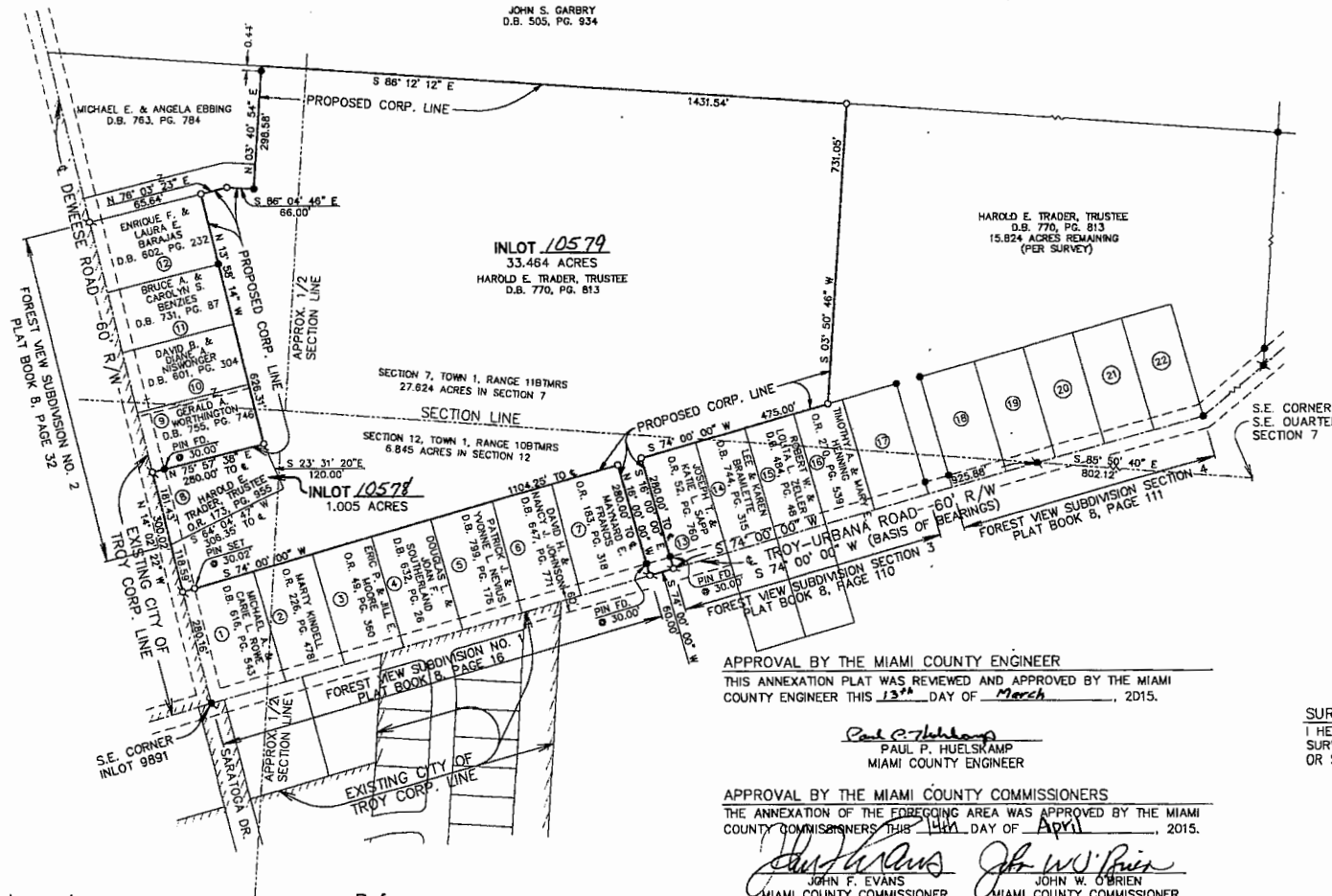
PROCEEDINGS RECORDED IN 2016P-01708
FEE \$ 43.20

RECORDED BY: *[Signature]*
MIAMI COUNTY RECORDER
DEPUTY

SEE ANNEXATIONS PROCEEDINGS RECORDED IN OFFICIAL
RECORD 2016P-01708

APPROVED AND TRANSFERRED WITH LOT NUMBERS
ASSIGNED THIS 9 DAY OF Feb, 2015.

Matthew W. Cozatt BY: *[Signature]*
MIAMI COUNTY AUDITOR DEPUTY



APPROVAL BY THE MIAMI COUNTY ENGINEER
THIS ANNEXATION PLAT WAS REVIEWED AND APPROVED BY THE MIAMI
COUNTY ENGINEER THIS 13th DAY OF March, 2015.

[Signature]
PAUL P. HUELSKAMP
MIAMI COUNTY ENGINEER

APPROVAL BY THE MIAMI COUNTY COMMISSIONERS
THE ANNEXATION OF THE FOREGOING AREA WAS APPROVED BY THE MIAMI
COUNTY COMMISSIONERS THIS 14th DAY OF April, 2015.

[Signature] JOHN F. EVANS MIAMI COUNTY COMMISSIONER
[Signature] JOHN W. O'BRIEN MIAMI COUNTY COMMISSIONER

[Signature]
RICHARD L. CULTICE
MIAMI COUNTY COMMISSIONER

APPROVAL BY THE CITY COUNCIL OF TROY, OHIO
THIS ANNEXATION WAS ACCEPTED AND APPROVED BY THE CITY COUNCIL OF
THE CITY OF TROY, OHIO THIS 30th DAY OF July, 2015.

[Signature] PRESIDENT OF COUNCIL
[Signature] MAYOR
[Signature] CLERK OF COUNCIL

SURVEYOR'S CERTIFICATION
I HEREBY CERTIFY THIS ANNEXATION PLAT TO BE A TRUE AND CORRECT
SURVEY MADE UNDER MY DIRECT SUPERVISION, WITH ALL CORNERS FOUND
OR SET AS SHOWN.



[Signature] 9/30/09
Michael W. Cozatt, P.S. #6001 Date

Cozatt Engineering Company
Civil Engineer Land Surveyor
534 N. Elm Street, Suite C Troy, Ohio
Job No. 10609A Ph. (937) 339-2921

Legend

- PK nail set
- Mag nail found
- Iron pin found
- ✕ 1" Monument Spike
- 5/8" dia. capped iron pin set (Cozatt, S6001)

References

- | | |
|------------------|---|
| Vol. 13, Pg. 167 | } Miami County Engineer's
Record of Land Surveys |
| Vol. 14, Pg. 13 | |
| Vol. 19, Pg. 102 | |
| Vol. 21, Pg. 173 | |
| Vol. 24, Pg. 163 | |
| Vol. 33, Pg. 137 | } Miami County Recorder's
Plat Records |
| Vol. 41, Pg. 34 | |
| Vol. 42, Pg. 180 | |
| Vol. 52, Pg. 01 | |
| P.B. 07, Pg. 112 | |
| P.B. 08, Pg. 16 | |
| P.B. 08, Pg. 32 | |
| P.B. 08, Pg. 110 | |
| P.B. 08, Pg. 111 | |
| P.B. 21, Pg. 12 | |

Scheduled Planning Commission Meeting
(Held every 2nd and 4th Wednesday of the month at 3:30 p.m.)

Date Requested: _____
Applicant(s) scheduled on the agenda will be notified

Office Use Only

Date Filed _____
Accepted by _____
Filing Fee Pd. _____
Receipt # _____

APPLICATION IS DUE TWO (2) WEEKS PRIOR TO MEETING

APPLICATION FOR ZONING AMENDMENT CITY OF TROY PLANNING COMMISSION

(MUST BE TYPED OR PRINTED LEGIBLY IN BLACK INK)

(READ SECTION 1139 OF THE ZONING CODE BEFORE COMPLETING APPLICATION)

An application for an amendment to the City of Troy, Ohio Zoning Code that would change the zoning classification for the property located at K30-042350 & K30-1148707

being lot number(s) _____ from (A-2) to Residential
(Parcel Identification Number) (Existing Zoning Classification) (Proposed Zoning Classification)

OWNER

APPLICANT

Name Harold E Trader LLC

Name _____

Address 2255 Kessler Courtville Rd

Address _____

City Troy

City _____

State Ohio

State _____

Zip Code 45373

Zip Code _____

Phone No. _____

Phone No. _____

Fax No. _____

Fax No. _____

Email _____

Email _____

The applicant is the owner of the property, which is subject to this application.
(State the interest of the applicant)

PLEASE PROVIDE THE FOLLOWING:

1. The reasons for seeking a change in the zoning classification or zoning text: Attach as **EXHIBIT "A"**.
2. The legal description of the land proposed to be reclassified: Attach as **EXHIBIT "B"**.
3. A site plan prepared by a registered engineer, surveyor or architect in duplicate drawn to such scale as to clearly show:
 - a. The actual dimensions of the subject property according to the recorded plat of such property, lot numbers, it's present zoning classification, existing and proposed uses: Attach as **EXHIBIT "C"**.
 - b. The present zoning classification of all surrounding lands located within two hundred and fifty (250) feet of the land proposed to be reclassified: Attach as **EXHIBIT "D"**.
 - c. A list (see example) of the names, addresses, and lot numbers of the owners of property within a radius of two hundred and fifty (250) feet from the parcel or parcels of land proposed to be reclassified: Attach as **EXHIBIT "E"**
 - i. Include one (1) copy of County Tax Maps
 - ii. Include two (2) sets of mailing labels
4. 2 complete sets (Exhibits A-E) reproducible in a format no larger than 11"x17"
5. Filing Fee of \$150.00 made payable to the City of Troy

I HEREBY DEPOSE AND SAY THAT THE ABOVE STATEMENTS AND THE STATEMENTS CONTAINED IN ALL THE EXHIBITS PREPARED BY ME AND TRANSMITTED HERewith ARE TRUE.

My 2

(Applicant Signature)

Subscribed and sworn to before me this 27 day of Oct, 2015

JOSEPH C. KLATTE, Notary Public

My Commission Expires

In and for the State of Ohio

My Commission Expires Dec 16, 2016

Resides in Miami County



Joe Klatte

(Notary Public)

(For Office Use Only - Do Not Write Below This Line)

REQUIRED DOCUMENTS:

EXHIBIT A Reasons for Zoning Reclassification
EXHIBIT B Legal Description
EXHIBIT C Site Plan: lot dimensions, lot numbers, current zoning, existing and proposed uses
EXHIBIT D Site Map with Zoning & Owners within 250 feet of parcel
EXHIBIT E Property Owners List within 250 feet of parcel
Labels Two (2) Sets of Mailing Labels of Property Owners
Copies Fifteen (15) Complete Sets in a reproducible format 11"x17"
Map(s) One (1) County Tax Map(s)
Filing Fee Check issued to City of Troy for \$200.00

Additional Documentation (List):

PLANNING COMMISSION DISPOSITION:

PUBLIC HEARING DATE

RECOMMENDATION TO CITY COUNCIL

CITY COUNCIL DISPOSITION:

1st Reading: 2nd: 3rd: PUBLIC HEARING DATE

COUNCIL COMMITTEE RECOMMENDATION

Approved: Denied: CITY COUNCIL ACTION

Ordinance Number:

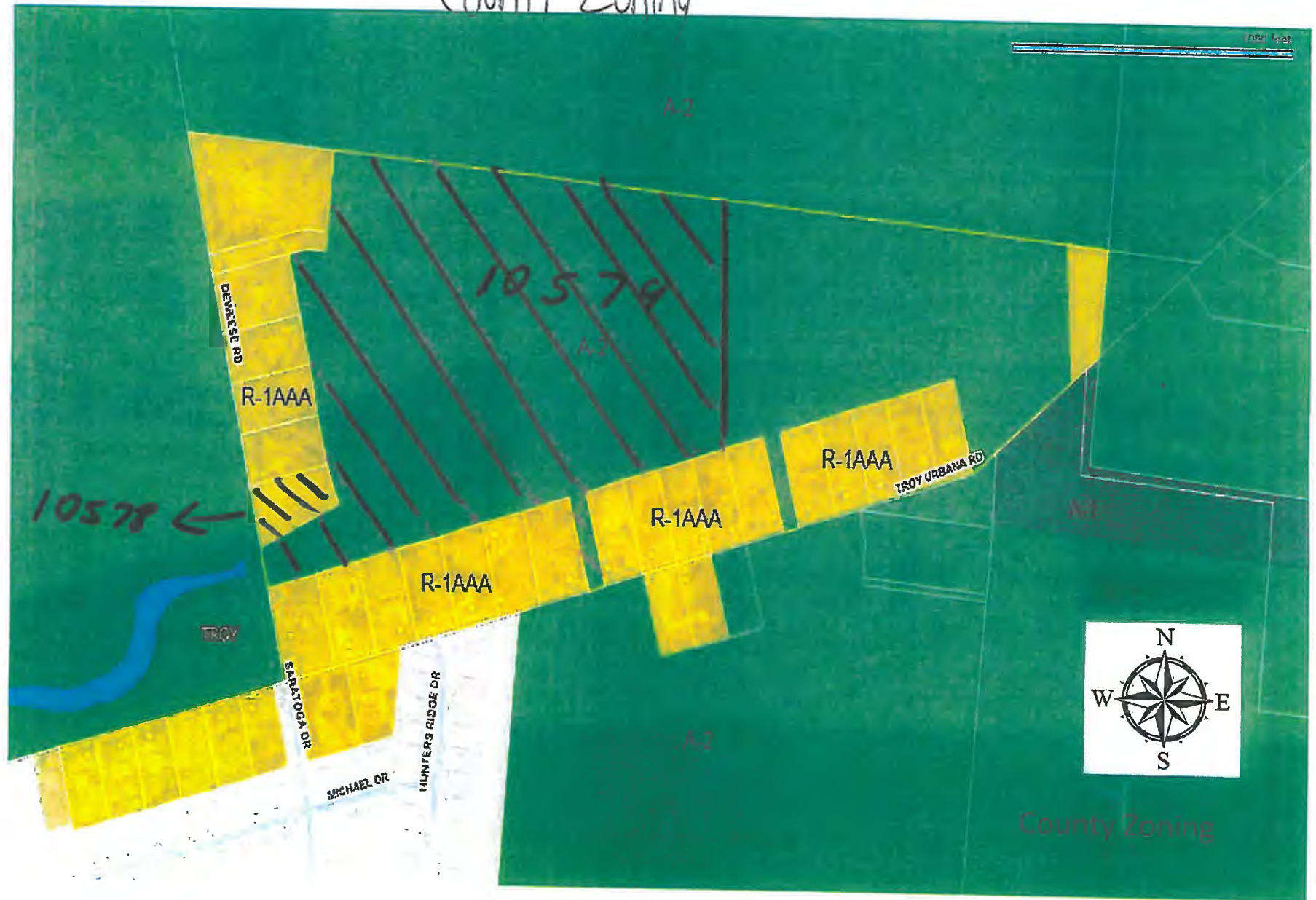
Effective Date:

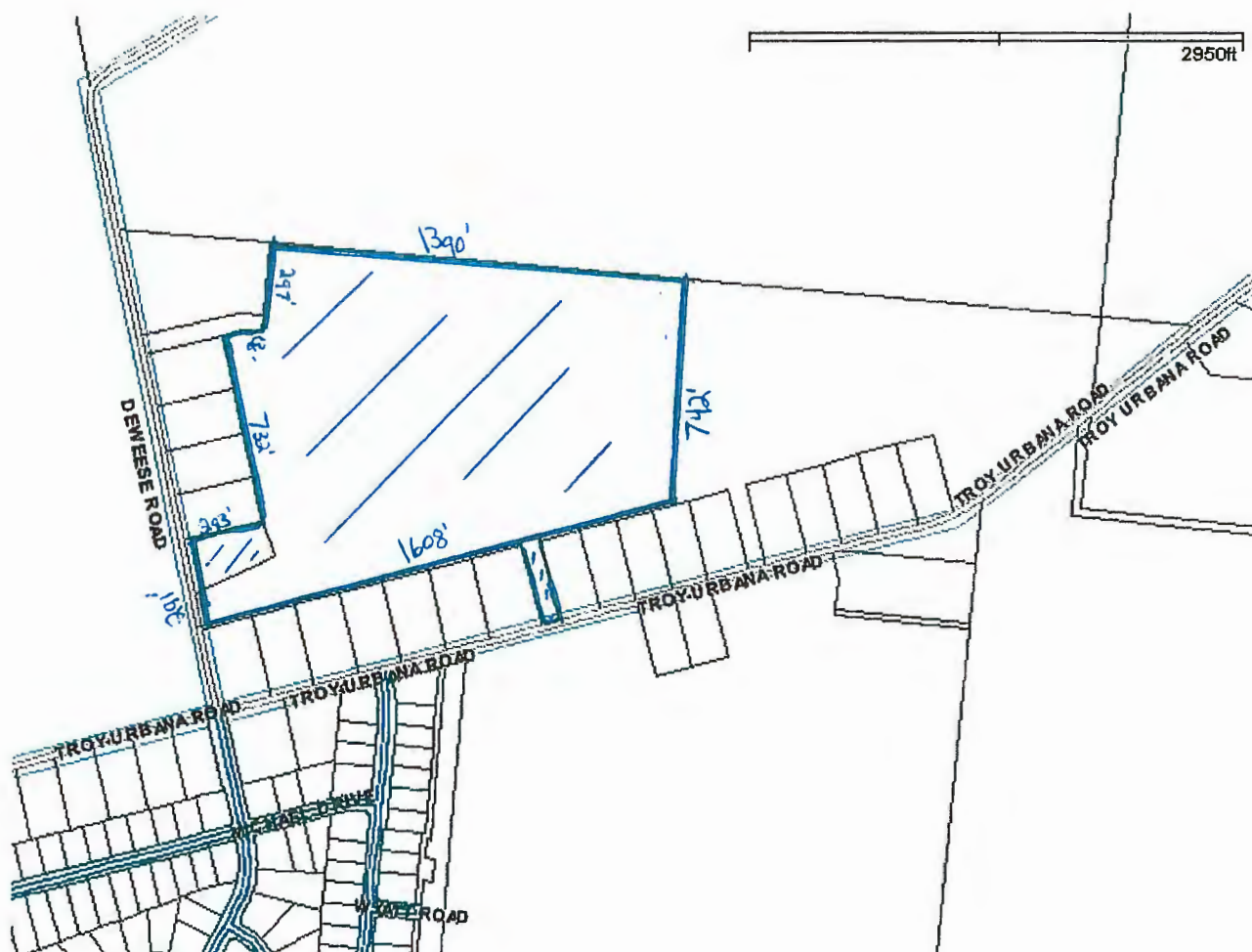
Revised 10/25/11

City Zoning



County Zoning





1143.01 A AGRICULTURAL DISTRICT

(a) Purpose. The "A" Agricultural District is designated to provide for agricultural activity on large tracts and areas of open land containing a minimum of twenty (20) acres. Certain public and semi-public uses intended to serve residential development are permitted. This district will be mapped in undeveloped areas at the outer periphery of the City where there is minimal water and sewer service.

(b) Principal Permitted Uses. Only those uses set forth below which continuously conform to all the requirements of divisions (d) through (f) of this section shall be permitted:

- Agricultural uses.
- Commercial greenhouse and nurseries.
- Hydroponic farms.
- Kennels.
- Public parks, playgrounds and community centers.
- Public utility.
- Riding academies.
- Roadside stands – agricultural products grown on premises.
- Schools – primary, intermediate and secondary – public or private.
- Veterinary office – w/boarding.
- Veterinary office – no boarding.

(c) Permitted Accessory Uses. The following are permitted as accessory uses subject to the provisions of Section 1151.04 of this Zoning Code:

- (1) Private garages or carports.
- (2) A structure for storage incidental to a permitted use
- (3) A guest house.
- (4) Private swimming pool, bath house, and tennis courts.
- (5) Child's playhouse.
- (6) Statuary, arbors, trellises, barbeque equipment, flagpoles, fences, play equipment, clothes lines, walls, and hedges.
- (7) Fallout shelters.
- (8) Day-care centers.
- (9) Satellite earth stations and dish antennas.
- (10) Antennas used by amateur radio operators.
- (11) Any other use customarily found in conjunction with the principal use.

(d) Lot Size Requirements. Each separate zoning lot in the "A" Agricultural District shall:

- (1) Contain a minimum lot area of twenty (20) acres.

- (2) Have a minimum lot width of one thousand (1000) feet.
- (3) Have a minimum lot depth of five hundred (500) feet.

(e) Buffer Strips. A buffer strip shall be established on the lot being developed in the "A" Agricultural District when it abuts the following zoning districts:

- (1) R-7, OR-1, OC-1, B-1 or WO: A minimum of fifteen (15) feet in width.
- (2) B-2, B-3, B-4, M-1, M-2, M-3: A minimum of twenty-five (25) feet in width.

All buffer strips shall be developed in accordance with the standards outlined in Section 1149.11 of this Zoning Code.

(f) Bulk Regulations. All construction on any zoning lot in the "A" Agricultural District shall provide for:

- (1) Maximum building lot coverage of twenty-five (25) percent for all areas.
- (2) Maximum structure height of fifty (50) feet.

(g) Development Standards. All development in the "A" Agricultural Zoning District shall be subject to the applicable provisions of Sections 1147 through 1159 of this Zoning Code.

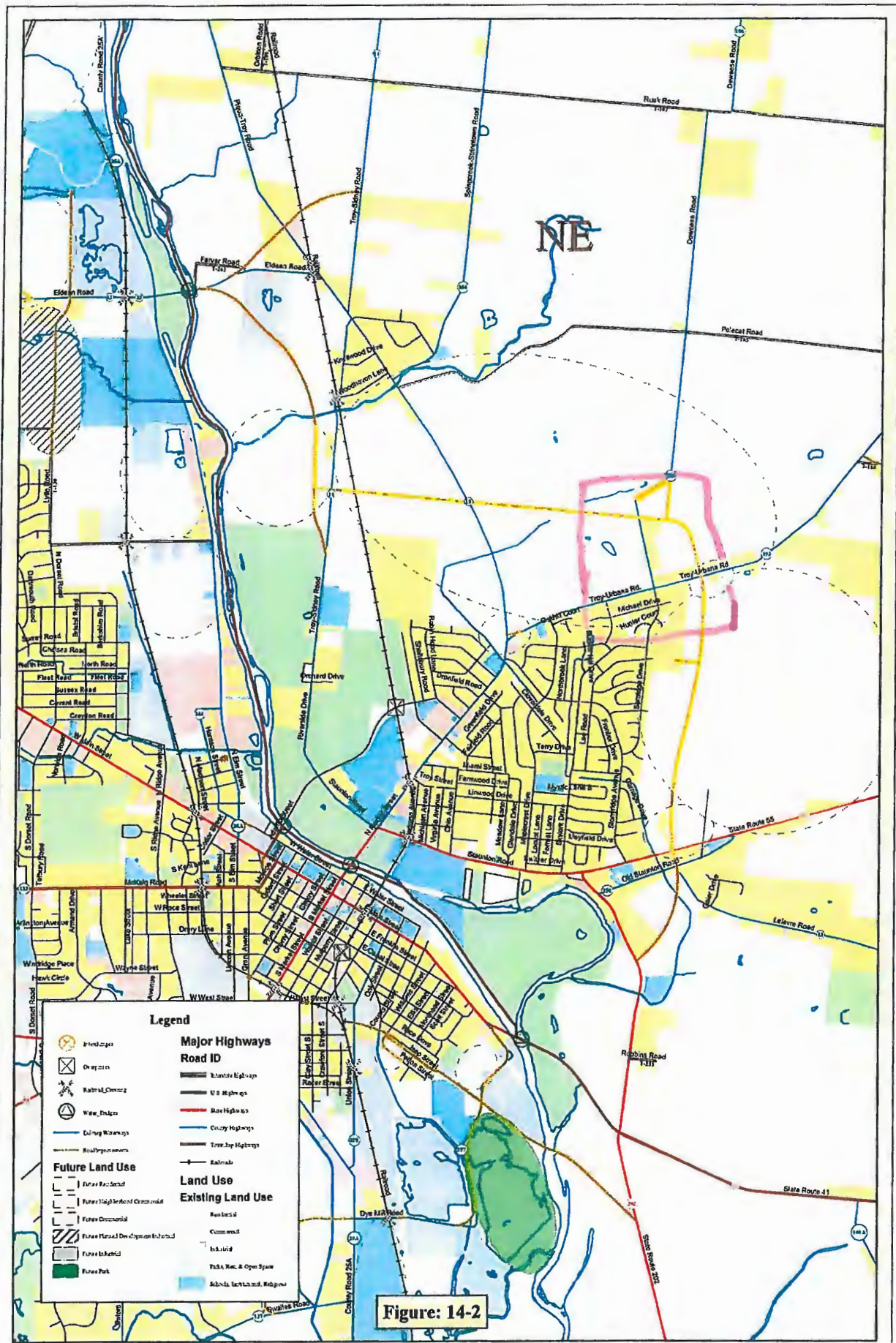
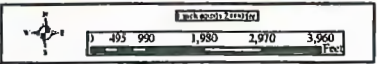


Figure: 14-2



NE Future Land Use

ORDINANCE No. O-20-2016

zone Trader Annex

**ORDINANCE CHANGING THE ZONING OF INLOTS 10578
AND 10579 IN THE CITY OF TROY, OHIO FROM M-2,
FROM THE MIAMI COUNTY ZONING OF A-2, GENERAL
AGRICULTURE, TO THE CITY OF TROY ZONING OF A,
AGRICULTURAL DISTRICT**

WHEREAS, a request for zoning change was presented to the Planning Commission of the City of Troy, Ohio, to rezone Inlots 10578 and 10579 in the City of Troy, and

WHEREAS, the Planning Commission of the City of Troy, Ohio, has reviewed the plan and recommended approval, and

WHEREAS, at least thirty days notice of the public hearing of said change has been provided in a newspaper of general circulation,

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Troy, Ohio as follows:

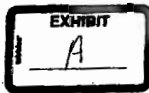
SECTION I: That the zoning of Inlots 10578 and 10579 in the City of Troy, Ohio, and as shown on Exhibit A attached hereto, be changed from the Miami County zoning of A-2, General Agriculture, to the City of Troy zoning of A, Agricultural District.

SECTION II: That this Ordinance shall be effective at the earliest date allowed by law:

Adopted: _____
President of Council

Approved: _____

Attest: _____
Clerk of Council Mayor



COZATT ENGINEERING COMPANY

CIVIL ENGINEER-LAND SURVEYOR

MICHAEL W. COZATT
PROFESSIONAL ENGINEER 36325
PROFESSIONAL SURVEYOR 6001

2784 S. COUNTY ROAD 25A
TROY, OHIO 45373
(937) 339-2521 * (937) 459-9650

SUBDIVISIONS
MUNICIPAL ENGINEERING
LAND SURVEYS

September 30, 2009

DESCRIPTION

34.469 Acre Tract
Harold E. Trader

Being a 34.469 acre tract located in the southeast and southwest quarters of Section 7, Town 1, Range 11 BTMRS, and the northeast and northwest quarters of Section 12, Town 1, Range 10 BTMRS, Staunton Township, Miami County, Ohio, acquired by Harold Trader, LLC and Harold E. Trader, Trustee by deed recorded in Deed Book 770, Page 819 and Deed Book 770, Page 813 of the Miami County Recorder's Deed Records, and bounded and described as follows:

Commencing for reference at a point at the southeast corner of the southeast quarter of Section 7, Town 1, Range 11 BTMRS; thence North 85 deg.-50'-40" West for 802.12 ft. along the south line of Section 7 to a mag nail found on the centerline of Troy-Urbana Road; thence South 74 deg.-00'-00" West for 925.88 ft. along the centerline of Troy-Urbana Road to a PK nail set at the southwest corner of Lot 13 of Forest View Subdivision No. 3 and marking the true place of beginning;

thence, South 74 deg.-00'-00" West for 60.00 ft. along the centerline of Troy-Urbana Road to a PK nail set at the Southeast corner of Lot 7 of Forest View Subdivision No. 1;

thence, North 16 deg.-00'-00" West for 280.00 ft. along the east line of the aforesaid Lot 7 to a 5/8" dia. capped iron pin set at the northeast corner of Lot 7, witness passing an iron pin found at 30.00 ft.;

thence, South 74 deg.-00'-00" West for 1104.25 ft. along the north line of Forest View Subdivision No. 1 a PK nail set on the centerline of Deweese Road and the City of Troy corporation line, witness passing a 5/8" dia. capped iron pin set at 1074.23 ft.

thence, North 14 deg.-02'-22" West for 300.02 ft. along the centerline of Deweese Road and the City of Troy corporation line to a PK nail set at the northwest corner of Lot 8 of Forest View Subdivision No. 2;

thence, North 75 deg.-57'-38" East for 280.00 ft. along the north line of Lot 8 to a 5/8" dia. capped iron pin set at the northeast corner of Lot 8, witness passing an iron pin found at 30.00 ft.;

thence, North 13 deg.-58'-14" West for 626.31 ft. along the east line of Forest View Subdivision No. 2 to a 5/8" dia. capped iron pin set;

thence, North 76 deg.-03'-23" East for 65.64 ft. to a 5/8" dia. capped iron pin set;

thence, South 86 deg.-04'-46" East for 66.00 ft. to an iron pin found;

thence, North 03 deg.-40'-54" East for 298.58 ft. to a point, witness passing an iron pin found at 298.14 ft.;

thence, South 86 deg.-12'-12" East for 1431.54 ft. to a 5/8" dia. capped iron pin set;

thence, South 03 deg.-50'-46" West for 731.05 ft. along a new division line to a 5/8" dia. capped iron pin set in the north line of Lot 16 of Forest View Subdivision No. 3;

thence, South 74 deg.-00'-00" West for 475.00 ft. along the north line of Forest View Subdivision No. 3 to 5/8" dia. capped iron pin set at the northwest corner of Lot 13 of Forest View Subdivision No. 3;

thence, South 16 deg.-00'-00" East for 280.00 ft. along the west line of the aforesaid Lot 13 to the PK nail set at the southwest corner of Lot 13 and on the centerline of Troy-Urbana Road, marking the place of beginning, witness passing an iron pin found at 250.00 ft.

Containing a total of 34.469 acres, including 27.624 acres in Section 7, 6.845 acres in Section 12, including 1.005 acres in Lot 8 of Forest View Subdivision No. 2, and subject to all legal easements, rights-of-way and restrictions of record.

According to a field survey performed by Michael W. Cozatt, Professional Surveyor #6001, 2784 S. County Road 25A, Troy, Ohio 45373, on November 15, 2009, and filed in P.B. , Page of the Miami County Recorder's Plat Records.

dell4:10609annex



Michael W. Cozatt



MEMORANDUM

TO: Mrs. Baker, President, Troy City Council
FROM: Sue Knight, for the Troy Planning Commission
DATE: March 20, 2016

SUBJECT: REPORT OF THE PLANNING COMMISSION ON THE REZONING OF THE PROPERTY KNOWN AS THE CHENEY ANNEXATION, INLOT 10574, FROM THE COUNTY ZONING OF R-1AAA, SINGLE-FAMILY, TO THE CITY ZONING OF M-2, LIGHT INDUSTRIAL DISTRICT

On March 9, 2016 the Troy Planning Commission considered the rezoning the property known as the Cheney Annexation, Inlots 10574. This is a single parcel of 1.243 acres. The requested rezoning is from the County zoning of R-1AAA, Single-Family, to the City zoning of M-2, Light Industrial District. This lot is located south of the Archer Drive/Peters Road Intersection. The property owner is S. Howard Cheney. This lot was recently annexed to the City.

The Planning Commission determined not to hold a public hearing on this rezoning application.

By unanimous vote, the Troy Planning Commission recommends to Troy City Council that Inlot 10574, known as the Cheney Annexation, be rezoned from the County zoning of R-1AAA, Single-Family, to the City zoning of M-2, Light Industrial District, based on the findings of staff that:

- The proposed rezoning is consistent with the intent and purposes of the City of Troy Zoning Code;
- The proposed rezoning is consistent with the surrounding zoning districts; and
- The proposed rezoning is consistent with the City of Troy Comprehensive Plan.

Attached is a copy of the information reviewed by the Commission. This request is forwarded herewith to Council for consideration.

The Public Hearing before Council has been set for the April 18 meeting of Council.

encl.

TO:	Troy Planning Commission
FROM:	Planning Staff
DATE:	March 9, 2016
SUBJECT:	Rezoning: C06-048000 (1.243 ac.)
OWNER:	Howard Cheney
APPLICANT:	Howard Cheney

BACKGROUND:

Howard Cheney has applied for Planning Commission to consider the rezoning of parcel C06-048000 (1.243 ac.) located south of the Archer Dr./Peters Rd. intersection. Currently, the property is county zoned R-1AAA Sing-Family and the applicant requests that the zoning of the parcel be rezoned to city zoning of M-2 Light-Industrial.

The land is currently undeveloped and sits between parcels of city zoned M-2 Light-Industrial to the north, south, and west. City of Troy Zoning of R-5 Single-Family exists across Peters Rd. to the east of the parcel. A map depicting the city and county surrounding zoning districts have been attached to this report.

DISCUSSION:

The applicant has cited that the reason for the annexation/proposed rezoning is to seek a change that will be consistent with the adjoining properties to the north of the parcel.

The Zoning Code describes the proposed M-2 Light-Industrial zoning district as "designed to provide for industrial uses, which can be operated in such a manner as to conform to the applicable performance standards specified in the district. These performance standards regulate such uses in order to prohibit congestion and for the protection of adjacent residential and business activities."

Attached to this report is a list of all the M-2 Light-Industrial zoning districts uses.

The Comprehensive Plan's SE Future Land Use Map (Figure 14-4) displays this property as a mix of commercial and industrial uses. Figure 14-4 has been attached to this report.

In reviewing a rezoning proposal, Section 1139.07 outlines the criteria on which to base decisions:

(A) Whether the change in classification would be consistent with the intent and purpose of this Zoning Code.

The proposed rezoning is consistent with the Zoning Code. Section 1131.02(o) & (r) state the purposes of the Zoning Code are to preserve and enhance property value, and direct particular land uses to the parcel of land best suited for them. The proposed rezoning request achieves these purposes.

(B) Whether the proposed amendment is made necessary because of changed or changing conditions in the area affected, and, if so, the nature of such changed or changing conditions.

The proposed rezoning is not made necessary because of changing conditions in the affected area. The allowed uses in the M-2 Light-Industrial district will not have any adverse effects in the area and is consistent with the industrial zoning that exists to the north, south and west.

(C) Whether the uses that would be permitted on the property if it were reclassified would be compatible with the uses permitted on other property in the immediate vicinity.

The allowed uses in the proposed M-2 Light-Industrial district will match the permitted uses that are currently allowed on the properties located to the north, south and west.

(D) Whether adequate utility, sewer, and water facilities, and all other needed public services exist or can be provided to serve the uses that would be permitted on a property if it were reclassified.

All utilities can be provided.

(E) The amount of vacant land that currently has the same zoning classification as is proposed for the subject property, particularly in the vicinity of the subject property, and any special circumstances, in any, that make a substantial part of such vacant land unavailable for development.

In the vicinity of the subject property, there is one undeveloped property with the M-2 Light-Industrial zoning classification; however that property is old railroad property and layout makes the lot undevelopable.

(F) Whether the proposed amendment would correct an error in the application of this Zoning Code as applied to the subject property.

Not applicable in this request.

PUBLIC HEARING:

Due to the straight forward nature of the rezoning request, the compliance with the City of Troy Comprehensive Plan, the compatibility of the proposed zoning matching the zoning of surrounding properties, and the fact that City Council is required to hold a public hearing if the request proceeds on, staff does not feel that a public hearing before the Planning Commission is warranted.

RECOMMENDATION:

Staff is recommending that the Planning Commission recommend approval of the proposed rezoning from county zoning of R-1AAA Sing-Family to city zoned M-2 Light-Industrial, based on the following:

- The proposed rezoning is consistent with the intent and purposes of the City of Troy Zoning Code; and
- The proposed rezoning is consistent with the surrounding zoning districts; and
- The proposed rezoning is consistent with the City of Troy Comprehensive Plan.

Scheduled Planning Commission Meeting
(Held every 2nd and 4th Wednesday of the month at 3:30 p.m.)

Date Requested: _____
Applicant(s) scheduled on the agenda will be notified

Office Use Only

Date Filed _____
Accepted by _____
Filing Fee Pd. _____
Receipt # _____

APPLICATION IS DUE TWO (2) WEEKS PRIOR TO MEETING

**APPLICATION FOR ZONING AMENDMENT
CITY OF TROY PLANNING COMMISSION**

(MUST BE TYPED OR PRINTED LEGIBLY IN BLACK INK)

(READ SECTION 1139 OF THE ZONING CODE BEFORE COMPLETING APPLICATION)

An application for an amendment to the City of Troy, Ohio Zoning Code that would change the zoning classification for the property located at _____ 1262 Peters Road, Troy, Ohio _____
(Street Address)

being lot number(s) _____ 10574 _____ from _____ to _____ M-2 _____
(Parcel Identification Number) (Existing Zoning Classification) (Proposed Zoning Classification)

OWNER

Name _____ S. Howard Cheney _____
Address _____ 1124 W. Main Street _____
City _____ Troy _____
State _____ Ohio _____
Zip Code _____ 45373 _____
Phone No. _____ (937) 335-6161 _____
Fax No. _____
Email _____

APPLICANT

Name _____ SAME AS OWNER _____
Address _____
City _____
State _____
Zip Code _____
Phone No. _____
Fax No. _____
Email _____

The applicant is the _____ OWNER _____ of the property, which is subject to this application.
(State the interest of the applicant)

PLEASE PROVIDE THE FOLLOWING:

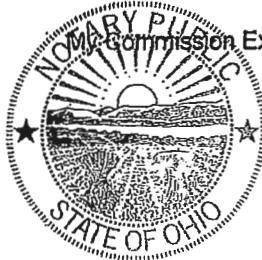
1. The reasons for seeking a change in the zoning classification or zoning text: Attach as **EXHIBIT "A"**.
2. The legal description of the land proposed to be reclassified: Attach as **EXHIBIT "B"**.
3. A site plan prepared by a registered engineer, surveyor or architect in duplicate drawn to such scale as to clearly show:
 - a. The actual dimensions of the subject property according to the recorded plat of such property, lot numbers, it's present zoning classification, existing and proposed uses: Attach as **EXHIBIT "C"**.
 - b. The present zoning classification of all surrounding lands located within two hundred and fifty (250) feet of the land proposed to be reclassified: Attach as **EXHIBIT "D"**.
 - c. A list (see example) of the names, addresses, and lot numbers of the owners of property within a radius of two hundred and fifty (250) feet from the parcel or parcels of land proposed to be reclassified: Attach as **EXHIBIT "E"**
 - i. Include one (1) copy of County Tax Maps
 - ii. Include two (2) sets of mailing labels
4. 2 complete sets (Exhibits A-E) reproducible in a format no larger than 11"x17"
5. Filing Fee of \$150.00 made payable to the City of Troy

I HEREBY DEPOSE AND SAY THAT THE ABOVE STATEMENTS AND THE STATEMENTS CONTAINED IN ALL THE EXHIBITS PREPARED BY ME AND TRANSMITTED HERewith ARE TRUE.

S. Howard Cheney

(Applicant Signature)

Subscribed and sworn to before me this 11th day of February, 2016



Commission Expires

WILLIAM J. FULKER, Attorney at Law (Month/Date/Year)

Notary Public, State of Ohio

My Commission has no expiration date.

Section 147.03 O. R. C.

Recorded in Miami County

(Notary Public)

(For Office Use Only - Do Not Write Below This Line)

REQUIRED DOCUMENTS:

EXHIBIT A Reasons for Zoning Reclassification
EXHIBIT B Legal Description
EXHIBIT C Site Plan: lot dimensions, lot numbers, current zoning, existing and proposed uses
EXHIBIT D Site Map with Zoning & Owners within 250 feet of parcel
EXHIBIT E Property Owners List within 250 feet of parcel
Labels Two (2) Sets of Mailing Labels of Property Owners
Copies (1) Complete Sets in a reproducible format 11"x17"
Map(s) One (1) County Tax Map(s)
Filing Fee Check issued to City of Troy for \$150.00

Additional Documentation (List):

PLANNING COMMISSION DISPOSITION:

PUBLIC HEARING DATE

RECOMMENDATION TO CITY COUNCIL

CITY COUNCIL DISPOSITION:

1st Reading: 2nd: 3rd: PUBLIC HEARING DATE

COUNCIL COMMITTEE RECOMMENDATION

Approved: Denied: CITY COUNCIL ACTION

Ordinance Number:

Effective Date:

Revised 10/25/11

Exhibit "A"

to Cheney Zoning Amendment

The subject real estate has recently been annexed to the City of Troy and the applicant is seeking a change in the zoning classification so that the zoning of the subject real estate will be consistent with the adjoining properties to the north of the subject real estate.





Neil E. Teaford
Professional Land Surveyor

5260 E. Troy Urbana Road
Casstown, Ohio 45312

Home Phone: 937 -339-4732
Cell Phone: 937 -308-6467
Email: nteaford@frontier.com

Land Surveying, Boundary, Construction, Elevation, Site Plans

1.243 Acre Tract
for
S. Howard Cheney
Annexation to the City of Troy

Situated in the Township of Concord, State of Ohio and the County of Miami and further described as follows: Being a part of the Northwest Quarter of Section 33, Town 5, Range 6 East:

Beginning at a point which marks the Northwest corner of the Northwest Quarter of Section 33, Town 5, Range 6 East:

thence North $88^{\circ}06'50''$ East, a distance of 184.23 feet to the POINT OF BEGINNING;

thence North $88^{\circ}06'50''$ East, a distance of 476.21 feet to a point on the centerline of Peters Road;

thence South $01^{\circ}02'45''$ East with the centerline of Peters Road, a distance of 96.57 feet to a point;

thence South $87^{\circ}14'25''$ West, a distance of 600.40 feet to a point;

thence North $48^{\circ}00'50''$ East, a distance of 164.15' to the POINT OF BEGINNING; said described tract containing 1.243 Acres, more or less, same being subject to all legal easements and restrictions of record.

Description prepared by Neil E. Teaford, Professional Surveyor #7724.

This description is not valid without original seal and signature



- (a) Purpose. The "M-2" Light Industrial District is designed to provide for industrial uses, which can be operated in such a manner as to conform to the applicable performance standards specified in the district. These performance standards regulate such uses in order to prohibit congestion and for the protection of adjacent residential and business activities.
- (b) Principal Permitted Uses only those uses set forth below which continuously conform to all the requirements of divisions (d) through (f) of this section shall be permitted:

- Agricultural implement sales and service.
- Agricultural uses.
- Auction sales.
- Automobile fuel dispensing station.
- Automobile parking garages.
- Automobile parking lots.
- Automobile repair garages – including body work.
- Bakeries – wholesale sales.
- Beverage distributors and bottling plants.
- Bone, canvas, cellophane, clay, cloth, cork, feathers, felt – manufacturing, assembling, compounding, or treatment (or any combination of these processes).
- Building material sales and storage facilities.
- Carpentry shops.
- Cash advance businesses.
- Cement block and formed products manufacturing.
- Cold storage plants.
- Commercial greenhouses and nurseries.
- Contractor sales, storage and equipment yards.
- Crematoriums (pet and human).
- Dairy and food product processing and packaging.
- Driver training schools (trucks).
- Dry cleaning – commercial.
- Electrical and electronic products, components and equipment – manufacturing, assembling or repair.
- Equipment rental services, including cars, trucks and trailers.
- Exterminating services.
- Fiber, fur, glass, hair, horn, leather, paper, plastics, rubber, precious or semi-precious stone or metal, sheet metal, shell, textiles, tobacco, wax, wire and wood, but not including as a principal operation, the manufacture of such substances.
- Food brokers – retail, wholesale and storage without processing.

- Frozen food lockers.
- Garden stores.
- Government buildings, structures, or premises used exclusively by federal, state, county, township, or municipal governments for public purposes, but not including work shops, warehouse, or open material storage.
- Government buildings, structures, or premises used exclusively by federal, state, county, township or municipal governments for public purposes, provided open storage areas are screened.
- Heating, A/C, electric and plumbing sales, service and repair.
- Liquid fuel, petroleum products, petroleum, and volatile oils – bulk storage stations in accordance with Section 1143.18(g) hereof.
- Machine shops, tool and die shops.
- Machinery and heavy equipment rental, sales and storage.
- Manufacturing, assembling or repair of medical, dental, optical and similar precision instruments or appliances.
- Meat processing and packaging, exclusive of slaughtering.
- Medical and dental laboratories.
- Metal products, excluding structural steel and foundry products or product from previously prepared materials – manufacturing, compounding, assembling or treatment (or any combination of these processes).
- Moving and storage companies.
- Musical instruments – manufacturing, assembling or repair.
- Novelties, toys and rubber products – manufacturing, assembling or repair.
- Pawn shops.
- Pharmaceutical products, including cosmetics, toiletries and perfumes, but excluding the manufacture of soap from raw materials or products previously prepared – manufacturing, compounding, assembling, or treatment (or any combination of these processes).
- Pool Halls.
- Printing, publishing, binding and typesetting plants.
- Private clubs.
- Public utility.
- Railroad stations, depots, train yards, classification yards and team tracks.
- Research and engineering laboratories.
- Sales offices and service centers.
- Sawing and planing mills.
- Sexually oriented business.
- Sign painting and manufacture.

- Stone products processing and manufacturing.
- Tattoo parlors.
- Truck fuel dispensing stations.
- Truck repair facility.
- Truck sales and service.
- Truck washing facility.
- Trucking and motor freight terminals.
- Watches and clocks, including clock operated devices – manufacturing, assembling or repair.
- Water filtration plants and pumping stations.
- Wholesale houses, warehouse and other storage facilities

(c) Permitted Accessory Uses. The following are permitted as accessory uses subject to the provisions of Section 1151.04 of this Zoning Code:

- (1) Refuse Dumpsters.
- (2) A structure for storage incidental to a permitted use.
- (3) Off-street parking and loading as regulated in Sections 1153 and 1155 of this Zoning Code.
- (4) Any use which is customarily found in conjunction with principal use as approved by the Planning Commission.

(d) Lot Size Requirements Each separate zoning lot in the “M-2” Light Industrial District shall:

- (1) Contain a minimum lot area of twenty thousand (20,000) square feet.
- (2) Have a minimum lot width of one hundred (100) feet.
- (3) Have a minimum lot depth of two hundred (200) feet.
- (4) Have a maximum lot depth to lot width ratio of 3:1 except on cul-de-sacs lots and other lots bearing unique topography.

(e) Buffer Strips. A buffer strip shall be established on the lot being developed in the “M-2” Light Industrial District when it abuts the following zoning districts:

- (1) A, A-R, R-1 to R-7: A minimum of twenty-five (25) feet in width.

(f) Bulk Regulations. All construction on any zoning lot in the “M-2” Light Industrial District shall provide for:

- (1) Maximum building lot coverage of eighty (80) percent.
- (2) Maximum structure height of forty (40) feet, but not more than the horizontal distance of the closest part of the structure from the nearest lot line. The Planning Commission may allow for a higher structure upon review of the specific circumstances and proximity to non-industrial neighboring uses.
- (3) Minimum front yard of twenty-five (25) feet.

- (4) Minimum side yard of ten (10) feet or half the building height, whichever is greater.
- (5) Minimum rear yard of twenty-five (25) feet or half the building height, whichever is greater.
- (6) Minimum transitional yards as follows:
 - A. Where a side lot line coincides with a side or rear lot line in an adjacent residence district, then a side yard shall be provided along the side lot line that is equal in width to one-half ($\frac{1}{2}$) of the building height.
 - B. Where a rear lot line coincides with a side or rear lot line in a residence district, then a rear yard shall be provided along the rear lot line that is equal in width to one-half ($\frac{1}{2}$) the building height. When separated by an alley, one-half ($\frac{1}{2}$) the alley width may be used as part of the required yard.
 - C. Where a side lot line lies across the street from the front yard of residential structures located in a residence district, then a side yard shall be provided along the side lot line that is not less than twenty-five (25) feet in depth.
 - D. Where the extension of a front or side lot line coincides with a front line of an adjacent lot located in a residence district on the same block, then a front or side yard equal in depth to the minimum front yard required by this Zoning Code in the adjacent residence district shall be provided along the front or side lot line for the remainder of the block, including the width of any intervening alley.
 - E. Where a front lot line lies across the street from a side lot line in a residential district, then a front yard shall be provided along the front lot line that is not less than twenty-five (25) feet in depth.
 - F. Where a front lot line lies across the street from a side lot line in a residential district, then a front yard shall be provided along the front lot line which is not less than the required front yard for the residential lot.
 - G. Where the extension of a front or side lot line coincides with a side lot line of an adjacent lot in a residence district on the same block, then a yard equal in depth to the minimum side yard required by this Zoning Code in the adjacent residence district shall be provided along the front or side lot line for the remainder of the block, including the width of any intervening alley.

(g) Development Standards. All development in the “M-2” Light Industrial Zoning District shall be subject to the applicable provisions of Sections 1147 through 1159 of this Zoning Code and the following standards:

- A. Any use constructed, established, altered or enlarged in the “M-2” Light Industrial District shall be operated so as to comply with the

approved development plan and with the following standards. No use already established shall be altered or modified so as to conflict with, or further conflict with, the applicable standards established hereinafter for the "M-2" Light Industrial District.

- B. Noise from any operation conducted on the premises, other than that emanating from vehicular traffic, either continuous or intermittent, shall be subject to the provisions of Section 1157 of this Zoning Code.
- C. No emission of toxic or noxious matter, which is injurious to human health, comfort, or enjoyment of life and property or to animal or plant life, shall be permitted. Where such emissions could be produced as a result of accident or equipment malfunction, adequate safeguards considered suitable for safe operation in the industry involved shall be taken.
- D. Vibrations, which can be detected without the use of instruments at or beyond the lot lines, are prohibited.
- E. Exterior lighting shall be in accordance with the provisions of Section 1157 of this Zoning Code. All fixtures shall be shielded so that no direct light is cast upon any property located in a residential zoning district.
- F. No building or structure shall be used for residential purposes except that a watchman or custodian may reside on the premises.
- G. All premises shall be furnished with all-weather hard surfaced walks of a material such as bituminous or Portland cement, concrete, wood, tile, terrazzo, or similar material, and except for parking areas, the grounds shall be planted and landscaped.
- H. The storage, utilization, or manufacture of solid, liquid, and gaseous chemicals and other materials shall be permitted subject to the following conditions:
 - 1. The storage, utilization, or manufacture of solid materials or products ranging from free or active burning to intense burning is permitted, but only if these materials or products are stored, utilized, or manufactured within completely enclosed buildings meeting applicable building codes.
 - 2. All activities involving the use and/or storage and/or disposal of flammable liquids or materials which produce flammable or explosive vapors or gasses shall be provided with adequate safety and protective devices against hazards or fire and explosion, as required by applicable building codes.
 - 3. The storage, utilization, or manufacture of pyrophoric and explosive powders and dusts, and of materials and products, which decompose by detonation, is prohibited. The storage of limited amounts of such materials may be permitted if permitted by applicable building codes.

4. The manufacture of flammable liquids or materials, which produce flammable or explosive vapors or gases, is prohibited.
 5. The storage and utilization of flammable liquids or materials that produce flammable or explosive vapors or gases shall be permitted on any lot in strict conformance with the applicable regulations set forth in the "Ohio Rules and Regulations of the Division of the State Fire Marshal for the Manufacture, Storage, Handling, Sale and Transportation of Flammable and Combustible Liquids".
- I. The handling of radioactive materials, the discharge of such materials into the air and water and the disposal of radioactive wastes shall be in strict conformance with:
1. The applicable regulations of the Atomic Energy Commission and/or the Environmental Protection Agency.
 2. The applicable regulations of any instrumentality of the state.

J. Sexually Oriented Business

1. No sexually oriented business shall be established or operated within seven hundred and fifty (750) feet of any of the following:
 - I. A church, synagogue, mosque, temple, or building which is used primarily for religious worship and related religious activities;
 - II. A public or private educational facility including, but not limited to, child day care facilities, nursery schools, preschools, kindergartens, elementary schools, private schools, junior high schools, middle schools, high schools, vocational schools, secondary schools, continuation schools, special education schools, junior colleges and universities. "School" includes the school grounds, but does not include facilities used primarily for another purpose and incidentally as a school;
 - III. A boundary of a residence district as defined in the Troy Zoning Code;
 - IV. A public park or recreational area which has been designated for park or recreational activities including, but not limited to, a park, a playground, nature trails, swimming pool, reservoir, athletic field, basketball or tennis courts, pedestrian/bicycle paths, wilderness

areas, or other similar public land within the City which is under the control, operation, or management of the City park and recreation authorities;

- V. An entertainment business which is oriented primarily towards children or family entertainment; or
- VI. The right-of-way of any divided, limited access highway including Interstate Route 75.

2. No sexually oriented business shall be established within a radius of one thousand (1,000) feet of any other sexually oriented business or within a radius of one thousand (1,000) feet of any two (2) of the following establishments:

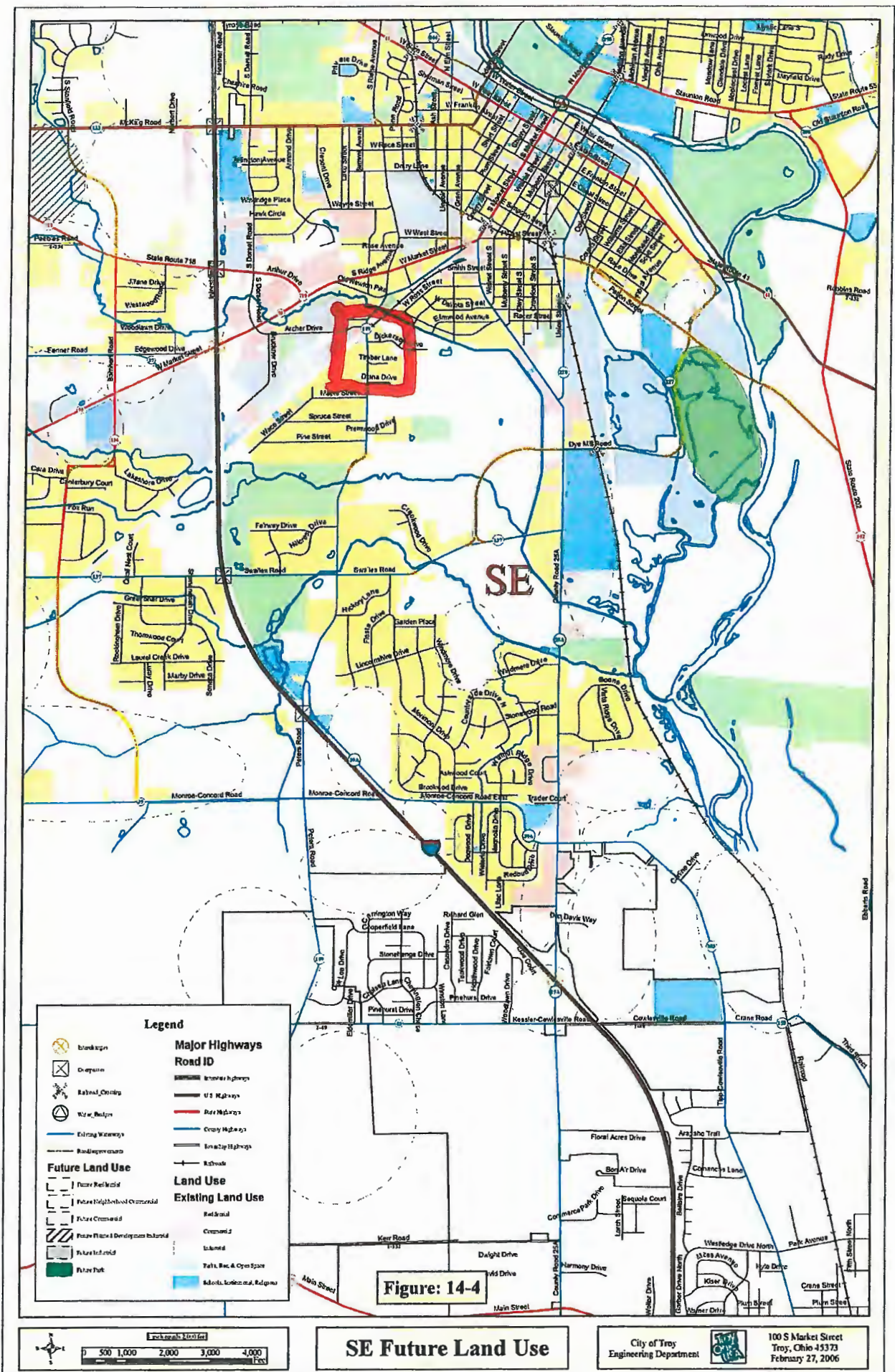
- I. Cabarets, clubs, or other establishments which feature topless or bottomless dancers, go-go dancers, exotic dancers, strippers, male or female impersonators, or similar entertainers.
- II. Establishments for the sale of beer or intoxicating liquor for consumption on the premises.
- III. Pawn shops.
- IV. Pool or billiard halls.
- V. Coin operated amusement centers.
- VI. Dance halls and discotheques.
- VII. Massage parlors.

3. Signs for sexually oriented businesses shall be regulated as follows:

- I. Wall signs:
 - (i) Shall only contain the name of the business establishment.
 - (ii) May be illuminated.
 - (iii) Shall not exceed twenty-four (24) square feet.
 - (iv) Shall not be animated or flashing.
- II. Window or door signs:
 - (i) Shall not be illuminated.
 - (ii) Shall not exceed five (5) per cent of the surface area upon which such sign is attached.
- III. Electronically changeable copy signs are prohibited.

- IV. Exterior lighting shall not be colored and shall be restricted to shades of white.
- V. Exterior lights shall not be flashing, or changing in color or intensity.
- VI. Neon stripes or similar illuminated architectural ornamentations are prohibited.
- VII. Searchlights or similar promotional devices are prohibited.
- VIII. Pennants, streamers, banners, hot air or cold-air inflated structures or figures, balloons and similar architectural ornamentations and/or decorations, which direct attention of passerby to the premises, are prohibited. These shall include, but not be limited to abstract paint schemes, multi-colored stripes, murals, steeples, sculptures, and topiary landscaping.
- IX. All other signs are prohibited.





ORDINANCE No. O-21-2016

Day: n Lee: f Blank, f

ZONE CHENEY ANNEX

**ORDINANCE CHANGING THE ZONING OF INLOT 10574
IN THE CITY OF TROY, OHIO FROM M-2, FROM THE
MIAMI COUNTY ZONING OF R-1AAA, SINGLE-FAMILY,
TO THE CITY OF TROY ZONING OF M-2, LIGHT
INDUSTRIAL DISTRICT**

WHEREAS, a request for zoning change was presented to the Planning Commission of the City of Troy, Ohio, to rezone Inlot 10574 in the City of Troy, and

WHEREAS, the Planning Commission of the City of Troy, Ohio, has reviewed the plan and recommended approval, and

WHEREAS, at least thirty days notice of the public hearing of said change has been provided in a newspaper of general circulation,

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Troy, Ohio as follows:

SECTION I: That the zoning of Inlot 10574 in the City of Troy, Ohio, and as shown on Exhibit A attached hereto, be changed from the Miami County zoning of R-1AAA, Single-Family, to the City of Troy zoning of M-2, Light Industrial District.

SECTION II: That this Ordinance shall be effective at the earliest date allowed by law:

Adopted: _____

President of Council

Approved: _____

Attest: _____

Clerk of Council

Mayor

EXHIBIT A

1.243 Acre Tract
for
S. Howard Cheney
Annexation to the City of Troy

Situated in the Township of Concord, State of Ohio and the County of Miami and further described as follows: Being a part of the Northwest Quarter of Section 33, Town 5, Range 6 East:

Beginning at a point which marks the Northwest corner of the Northwest Quarter of Section 33, Town 5, Range 6 East:

thence North 88°06'50" East, a distance of 184.23 feet to the POINT OF BEGINNING;

thence North 88°06'50" East, a distance of 476.21 feet to a point on the centerline of Peters Road;

thence South 01°02'45" East with the centerline of Peters Road, a distance of 96.57 feet to a point;

thence South 87°14'25" West, a distance of 600.40 feet to a point;

thence North 48°00'50" East, a distance of 164.15' to the POINT OF BEGINNING; said described tract containing 1.243 Acres, more or less, same being subject to all legal easements and restrictions of record.

Description prepared by Neil E. Teaford, Professional Surveyor #7724.

This description is not valid without original seal and signature





MEMORANDUM

TO: Mrs. Baker, President, Troy City Council

FROM: Sue Knight, for the Troy Planning Commission

DATE: March 20, 2016

SUBJECT: **REPORT OF THE PLANNING COMMISSION ON THE REZONING OF INLOT 9678 (PARCEL # D08-105060) FROM THE DUAL ZONING OF M-2, LIGHT INDUSTRIAL DISTRICT, AND B-2, GENERAL BUSINESS DISTRICT, TO THE SINGLE ZONING OF B-2, GENERAL BUSINESS DISTRICT. THE PROPERTY OWNER IS EARTHART BROTHERS LEASING, LLC, AND THE APPLICANT IS J. TIM LOGAN.**

On March 9, 2016 the Troy Planning Commission considered the rezoning of Inlot 9678 (parcel # D08-105060) from the dual zoning of M-2, Light Industrial District, and B-2, General Business District, to the single zoning of B-2, General Business District. This lot consists of 1.649 acres and is located adjacent to 1201 Brukner Drive. The property owner is Earhart Brothers Leasing, LLC, and the applicant is J. Tim Logan.

The Planning Commission determined not to hold a public hearing on this rezoning application.

By unanimous vote, the Troy Planning Commission recommends to Troy City Council that Inlot 9678 (parcel # D08-105060) be rezoned from the dual zoning of M-2, Light Industrial District, and B-2, General Business District, to the single zoning of B-2, General Business District, based on the findings of staff that:

- The area has similar "buffer" zoning to the north of the proposed zoning classification; and
- The parcel meets the bulk requirements for an B-2 zoned property and fits the proposed use well; and
- The proposed rezoning is consistent with the intent and purposes of the City of Troy Zoning Code.

Attached is a copy of the information reviewed by the Commission. This request is forwarded herewith to Council for consideration.

The Public Hearing before Council has been set for the April 18 meeting of Council.

encl.

TO:	Troy Planning Commission
FROM:	Planning Staff
DATE:	March 9, 2016
SUBJECT:	Rezoning: Parcel #D08-105060 Brukner Dr.
OWNER:	Earhart Brothers Leasing, LLC
APPLICANT:	J. Tim Logan-Miller Valentine Group Realty Services

BACKGROUND:

The applicant and agent, J. Tim Logan-Miller Valentine Group Realty Services, has applied for Planning Commission to consider the rezoning of Parcel # D08-105060. Currently, parcel # D08-105060 is dual zoned as M-2 Light Industrial and B-2 General Business District. The request is to rezone the entire parcel to B-2 General Business District.

This parcel is adjacent to 1201 Brukner Dr. which is also owned by Earhart Brothers Leasing, LLC. A map depicting the surrounding zoning districts has been attached to this report for reference.

DISCUSSION:

The applicant has cited the following reason for the proposed rezoning, and that is;

- This parcel is comprised of 1.649 acres and is dual zoned. 1.216 acres is zoned M-2 Light Industrial and the remaining 0.43 acres is zoned B-2 General Business District. The owners wish is to rezone this parcel solely to B-2 General Business District to correct the current dual zoning. The owner also owns the parcel immediately north, known as 1201 Brukner Dr. and this location is currently zoned B-2 General Business District.

This area of the City is dominated primarily by B-2 General business District to the west and north and M-2 Light Industrial District to the east and south. An illustration is included showing the surrounding zoning districts along with the permitted uses for both the B-2 and M-2 districts.

The Zoning Code describes the B-2 General Business District as being "intended to provide for the development of major retail shopping areas and centers outside the downtown area. These districts include much of the strip of commercial property existing along the major streets of the City. The uses permitted are intended to accommodate the general retail consumer."

It is staff's opinion that adjoining properties will not have any adverse effect from the proposed rezoning. The proposed M-2 district permits the greatest flexibility to the future use of the property. Protective buffers, mounds and trees, are already in place for the protection of the surrounding residential properties.

The Comprehensive Plan's Future Land Use (Figure 14-5) shows the surrounding area to be a mix of business and industrial. The Comprehensive Plan also depicts the goal of the reuse of vacant or underutilized commercial and industrial property within the City.

In reviewing a rezoning proposal, Section 1139.07 outlines the criteria on which to base decisions:

(A) Whether the change in classification would be consistent with the intent and purpose of this Zoning Code.

The proposed rezoning is consistent with the Zoning Code, specifically with sections 1131.02(e), and (r). These sections dictate the intent and purpose of the Zoning Code. These sections are listed below:

- 1131.02(e) "To separate incompatible land uses and to cluster compatible and mutually supportive land uses".
- 1131.02(r) "To direct particular land uses to the parcels of land best suited for them..."

The rezoning is consistent with the above listed intentions of the Zoning Code.

(B) Whether the proposed amendment is made necessary because of changed or changing conditions in the area affected, and, if so, the nature of such changed or changing conditions.

The application was not submitted based upon any changing conditions in the area.

(C) Whether the uses that would be permitted on the property if it were reclassified would be compatible with the uses permitted on other property in the immediate vicinity.

The use is compatible with the existing parcels of land located around the proposed rezoning area.

(D) Whether adequate utility, sewer, and water facilities, and all other needed public services exist or can be provided to serve the uses that would be permitted on a property if it were reclassified.

All utilities are provided.

(E) The amount of vacant land that currently has the same zoning classification as is proposed for the subject property, particularly in the vicinity of the subject property, and any special circumstances, in any, that make a substantial part of such vacant land unavailable for development.

There are no special circumstances.

(F) Whether the proposed amendment would correct an error in the application of this Zoning Code as applied to the subject property.

Not applicable in this request.

PUBLIC HEARING:

Due to the fact that City Council is required to hold a public hearing if the request proceeds on, staff does not feel that a public hearing before the Planning Commission is warranted.

RECOMMENDATION:

Staff is recommending that the Planning Commission recommend approval of the rezoning from M-2, Light Industrial District to B-2 general Business District, based on the following:

- The area has similar “buffer” zoning to the north of the proposed zoning classification; and
- The parcel meets the bulk requirements for an B-2 zoned property and fits the proposed use well; and
- The proposed rezoning is consistent with the intent and purposes of the City of Troy Zoning Code.

Scheduled Planning Commission Meeting
(Held every 2nd and 4th Wednesday of the month at 3:30 p.m.)

Date Requested: March 9, 2016
Applicant(s) scheduled on the agenda will be notified

Office Use Only

Date Filed _____
Accepted by _____
Filing Fee Pd. _____
Receipt # _____

APPLICATION IS DUE TWO (2) WEEKS PRIOR TO MEETING

**APPLICATION FOR ZONING AMENDMENT
CITY OF TROY PLANNING COMMISSION**

(MUST BE TYPED OR PRINTED LEGIBLY IN BLACK INK)

(READ SECTION 1139 OF THE ZONING CODE BEFORE COMPLETING APPLICATION)

An application for an amendment to the City of Troy, Ohio Zoning Code that would change the zoning classification for the property located at Inlot 9678 Brukner Drive

Inlot 9678 (Street Address)

being lot number(s) Parcel D08-105060 from M-2 Light Industrial to B-2 General Business
(Parcel Identification Number) (Existing Zoning Classification) (Proposed Zoning Classification)

OWNER

Name Earhart Brothers Leasing, LLC
Address 1494 Lytle Road
City Troy
State Ohio
Zip Code 45373
Phone No. (937)875-1047
Fax No. (937)339-5352
Email searhart@earhartcompany.com

APPLICANT

J. Tim Logan
Name Miller Valentine Group Realty Services
Address 137 North Main Street, Suite 900
City Dayton
State Ohio
Zip Code 45402
Phone No. (937)528-4009
Fax No. (937)228-4079
Email tim.logan@mvg.com

The applicant is the Agent of the owner of the property, which is subject to this application.
(State the interest of the applicant)

PLEASE PROVIDE THE FOLLOWING:

1. The reasons for seeking a change in the zoning classification or zoning text: Attach as **EXHIBIT "A"**.
2. The legal description of the land proposed to be reclassified: Attach as **EXHIBIT "B"**.
3. A site plan prepared by a registered engineer, surveyor or architect in duplicate drawn to such scale as to clearly show:
 - a. The actual dimensions of the subject property according to the recorded plat of such property, lot numbers, it's present zoning classification, existing and proposed uses: Attach as **EXHIBIT "C"**.
 - b. The present zoning classification of all surrounding lands located within two hundred and fifty (250) feet of the land proposed to be reclassified: Attach as **EXHIBIT "D"**.
 - c. A list (see example) of the names, addresses, and lot numbers of the owners of property within a radius of two hundred and fifty (250) feet from the parcel or parcels of land proposed to be reclassified: Attach as **EXHIBIT "E"**
 - i. Include one (1) copy of County Tax Maps
 - ii. Include two (2) sets of mailing labels
4. 2 complete sets (Exhibits A-E) reproducible in a format no larger than 11"x17"
5. Filing Fee of \$150.00 made payable to the City of Troy

I HEREBY DEPOSE AND SAY THAT THE ABOVE STATEMENTS AND THE STATEMENTS CONTAINED IN ALL THE EXHIBITS PREPARED BY ME AND TRANSMITTED HERewith ARE TRUE.

(Applicant Signature)

Subscribed and sworn to before me this _____ day of _____, 20____

My Commission Expires _____
(Month/Date/Year)

(Notary Public)

(For Office Use Only - Do Not Write Below This Line)

REQUIRED DOCUMENTS:

EXHIBIT A	Reasons for Zoning Reclassification
EXHIBIT B	Legal Description
EXHIBIT C	Site Plan: lot dimensions, lot numbers, current zoning, existing and proposed uses
EXHIBIT D	Site Map with Zoning & Owners within 250 feet of parcel
EXHIBIT E	Property Owners List within 250 feet of parcel
Labels	Two (2) Sets of Mailing Labels of Property Owners
Copies	(1) Complete Sets in a reproducible format 11"x17"
Map(s)	One (1) County Tax Map(s)
Filing Fee	Check issued to City of Troy for \$150.00

Additional Documentation (List):

(15) Cc

PLANNING COMMISSION DISPOSITION:

PUBLIC HEARING DATE

RECOMMENDATION TO CITY COUNCIL

CITY COUNCIL DISPOSITION:

1st Reading: _____ 2nd: _____ 3rd: _____ PUBLIC HEARING DATE

COUNCIL COMMITTEE RECOMMENDATION

Approved: _____ Denied: _____ CITY COUNCIL ACTION

Ordinance Number: _____

Revised 10/25/11

EXHIBIT A

Reasons for Change of Zoning

The property currently has two zoning classifications. Part is zoned B-2 and part is zoned M-2.

The owner of this lot wishes to change the part of the property which is the southerly 1.216 acres from M-2 to B-2 so that the entire parcel 1.649 acres is zoned B-2. The owner also owns the adjoining lot to the north which is zoned B-2. This change would correct a current inconsistency.

EXHIBIT B

Legal Description

Situate in the State of Ohio, County of Miami, and City of Troy to wit:

Being all of Inlot 9678, in said City of Troy, as evidenced on the F.A. Archer Partnership Plat in Plat Book 20, Page 69 of the Plat Records of Miami County, Ohio.

Parcel No. D08-105060

F.A. ARCHER PARTNERSHIP REPLAT

BEING A REPLAT OF INLOT 7595 AND PART INLOT 7596,
CITY OF TROY, AS ACQUIRED BY F.A. ARCHER PARTNERSHIP,
BY DEED BOOK 415 PAGE 362.

VOLUME 20 PAGE 69
MIAMI COUNTY RECORDER'S
RECORD OF PLATS.
RECEIVED FOR RECORD THIS 4th
DAY OF NOVEMBER 2003, AT 11:11 AM
FILE NO. 0386506 FEE \$ 45.20

John W. O'Brien
MIAMI COUNTY RECORDER
Christine Jackson
BY DEPUTY

WE, THE UNDERSIGNED, BEING ALL THE OWNERS AND LIENHOLDERS OF THE LANDS SHOWN HEREIN REPLATED, DO HEREBY VOLUNTARILY CONSENT TO THE EXECUTION OF SAID REPLAT.
EASEMENTS SHOWN OR NOTED ON THIS PLAT ARE FOR THE CONSTRUCTION, MAINTENANCE, REPAIR, REPLACEMENT OR REMOVAL OF OPEN DITCH, WATER DRAINAGE OR OPERATION OF GAS, SEWER, WATER, ELECTRIC, TELEPHONE, OR OTHER UTILITY LINES OR SERVICES AND FOR THE EXPRESS PRIVILEGE OF REMOVING ANY AND ALL TREES OR OTHER OBSTRUCTIONS TO THE FREE USE OF SAID UTILITIES AND FOR PROVIDING INGRESS AND EGRESS TO THE PROPERTY FOR SAID PURPOSES AND ARE TO BE MAINTAINED AS SUCH FOREVER.

John W. O'Brien
F.A. ARCHER PARTNERSHIP

STATE OF Ohio, COUNTY OF Madison
BEFORE ME, A NOTARY PUBLIC IN AND FOR THE STATE OF Ohio, PERSONALLY APPEARED THE ABOVE SIGNED PARTIES, WHO ACKNOWLEDGED THAT THEY DID SIGN SUCH INSTRUMENT AND THAT SAID INSTRUMENT IS THEIR FREE ACT AND DEED.

IN TESTIMONY WHEREOF, I HAVE HEREUNTO SUBSCRIBED MY NAME AND AFFIXED MY OFFICIAL SEAL AT Highland, Ohio, THIS 3rd DAY OF Sept, 2003.

Nancy D. Lowe
NOTARY PUBLIC

My Commission Expires 01-27-2006
MY COMMISSION EXPIRES

THIS REPLAT WAS REVIEWED AND APPROVED THIS 29th DAY OF OCTOBER, 2003

Steven D. Heffel
PUBLIC WORKS DIRECTOR

APPROVED AND TRANSFERRED THIS 4 DAY OF Nov, 2003.

Chris A. Pearson
MIAMI COUNTY AUCTOR

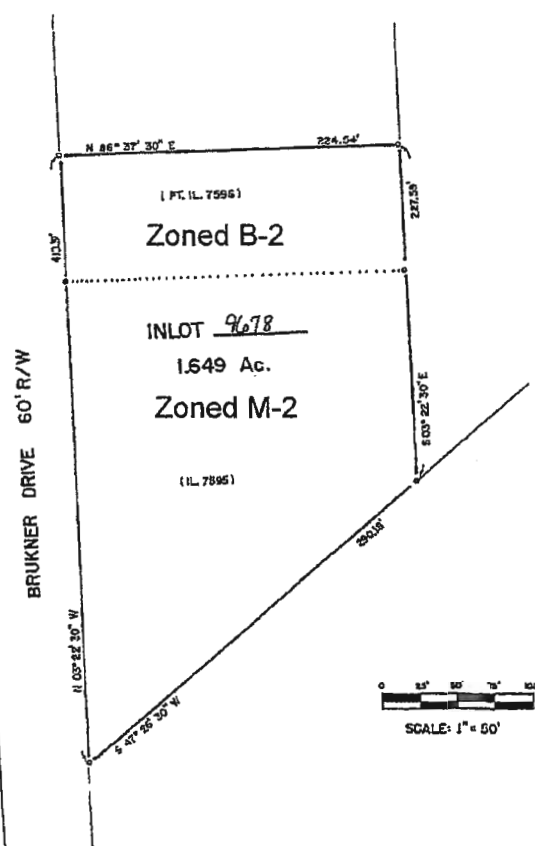
Linda Linneman
BY DEPUTY

I HEREBY CERTIFY THIS PLAT TO BE CORRECT BASED ON AN ACTUAL SURVEY.

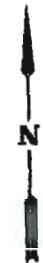
Richard W. Williams
PROFESSIONAL SURVEYOR NO. 4370

REFERENCES
RECORD PLAT 16 PG. 27
LOT SURVEY 22 PG. 26

LEGEND
• IRON PIN FOUND



SCALE: 1" = 50'



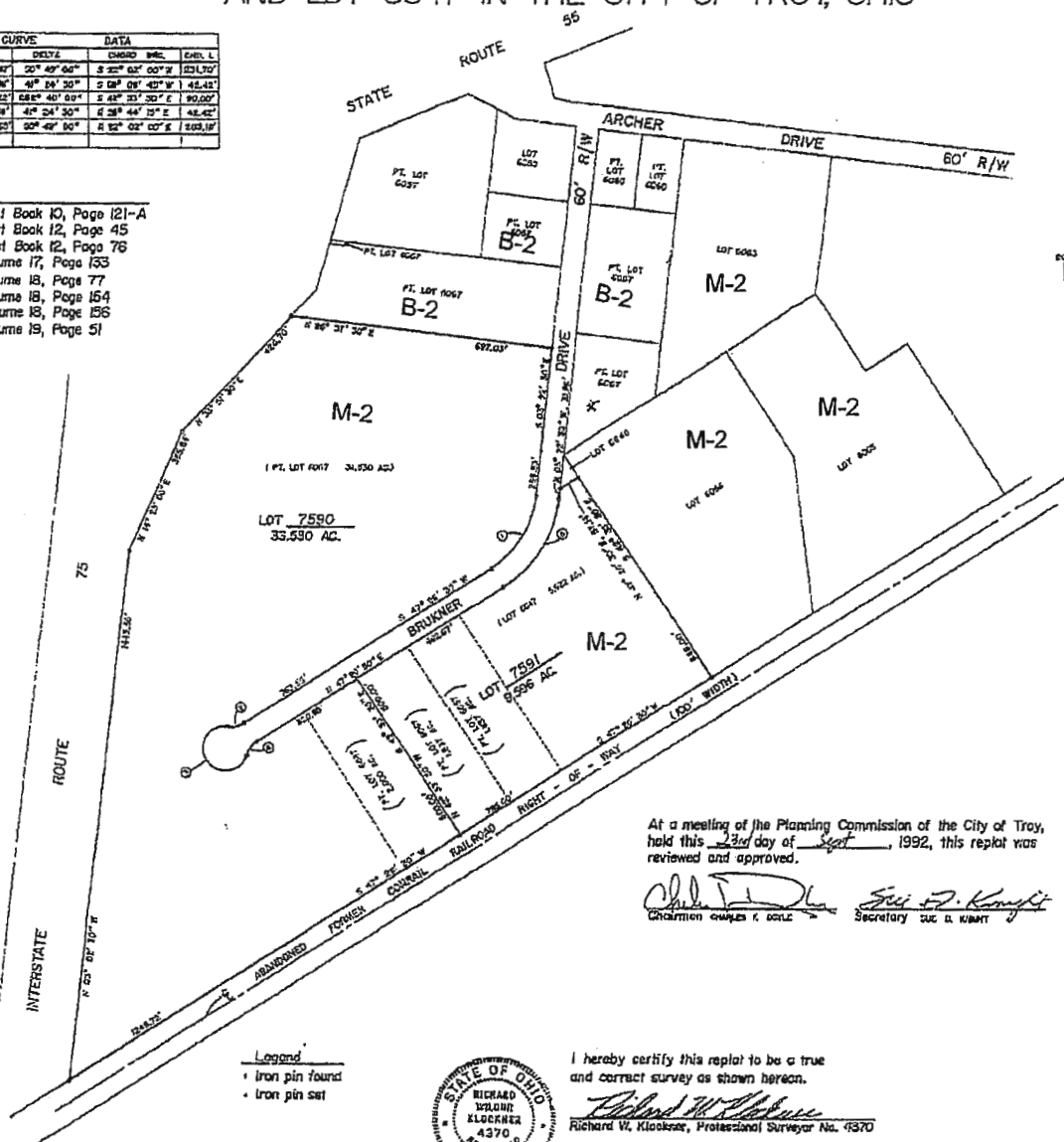
ARCHER REPLAT TROY, OHIO	
F.A. ARCHER PART.	
RICHARD W. KLOCKNER & ASSOC., INC. CIVIL ENGINEERING & LAND SURVEYING TROY, OHIO 45375 (937) 338-5331	
DATE: 3 AUG 2003	SHEET NO. 1 OF 1
DRAWN BY: DV CHECKED BY: <i>[Signature]</i> SCALE: 1" = 50'	

REPLAT OF PARTS OF LOT 6057, PART OF LOT 6060, PARTS OF LOT 6067, AND LOT 6647 IN THE CITY OF TROY, OHIO

NO.	BEAR.	CURVE	DATA	CHORD BEAR.	CHORD L.
1	270.00°	229.47'	30° 49' 00" W	S 22° 02' 00" W	1231.70'
2	160.60°	43.26'	4° 01' 30" W	S 68° 08' 40" W	45.42'
3	100.80°	87.52'	68° 40' 00" E	S 40° 23' 30" E	90.00'
4	60.20°	43.26'	4° 01' 30" E	S 28° 44' 30" E	45.42'
5	330.20°	229.47'	30° 49' 00" E	S 50° 02' 00" E	1231.70'

References

Recorder's Plat Book 10, Page 121-A
Recorder's Plat Book 12, Page 45
Recorder's Plat Book 12, Page 76
Lot Survey Volume 17, Page 133
Lot Survey Volume 18, Page 77
Lot Survey Volume 18, Page 154
Lot Survey Volume 18, Page 156
Lot Survey Volume 19, Page 51



Volume 16 Page 27
Miami County Recorder's Plat Records
Received for record this 29th day of
September, 1992, at 2:22 P.M.
File Number 132916 Fee \$45.20

Robert E. Cain
Juffet E. Cain, Miami County Recorder

Robbie Mueller
by Deputy

Description

Being a replat of parts of Lot 6057, part of Lot 6060, parts of Lot 6067, and Lot 6647 in the City of Troy, Miami County, Ohio, as shown in Miami County Recorder's Plat Book Volume 10, Page 121-A, and Plat Book Volume 12, Page 45.

We, the undersigned, being all the owners and lienholders of the land shown herein replated, do hereby voluntarily consent to the execution of said replat.
F.A. ARCHER PARTNERSHIP, LTD.

Richard W. Klockner Witness
GENERAL PARTNER
Kristina M. Field Witness

Witness
Witness

State of Ohio, County of Miami S.S.

Before me, a Notary Public in and for the State of Ohio, personally appeared the above signed parties, who acknowledged that they did sign such instrument, and that said instrument is their free act and deed.

In testimony whereof, I have hereunto subscribed my name and affixed my official seal at TROY, Ohio, this 29th day of SEPTEMBER 1992.

Richard W. Klockner Notary Public
My commission expires October 20, 1995

This replat reviewed and approved this 29th day of September, 1992.

Charles A. Peoples
Chris A. Peoples, Miami County Auditor
Linda Pearson
by Deputy

At a meeting of the Planning Commission of the City of Troy, held this 23rd day of Sept, 1992, this replat was reviewed and approved.

Charles K. Gault Chairman
Eric D. Kuyper Secretary

I hereby certify this replat to be a true and correct survey as shown hereon.

Richard W. Klockner
Richard W. Klockner, Professional Surveyor No. 4370



Legend
• Iron pin found
• Iron pin set

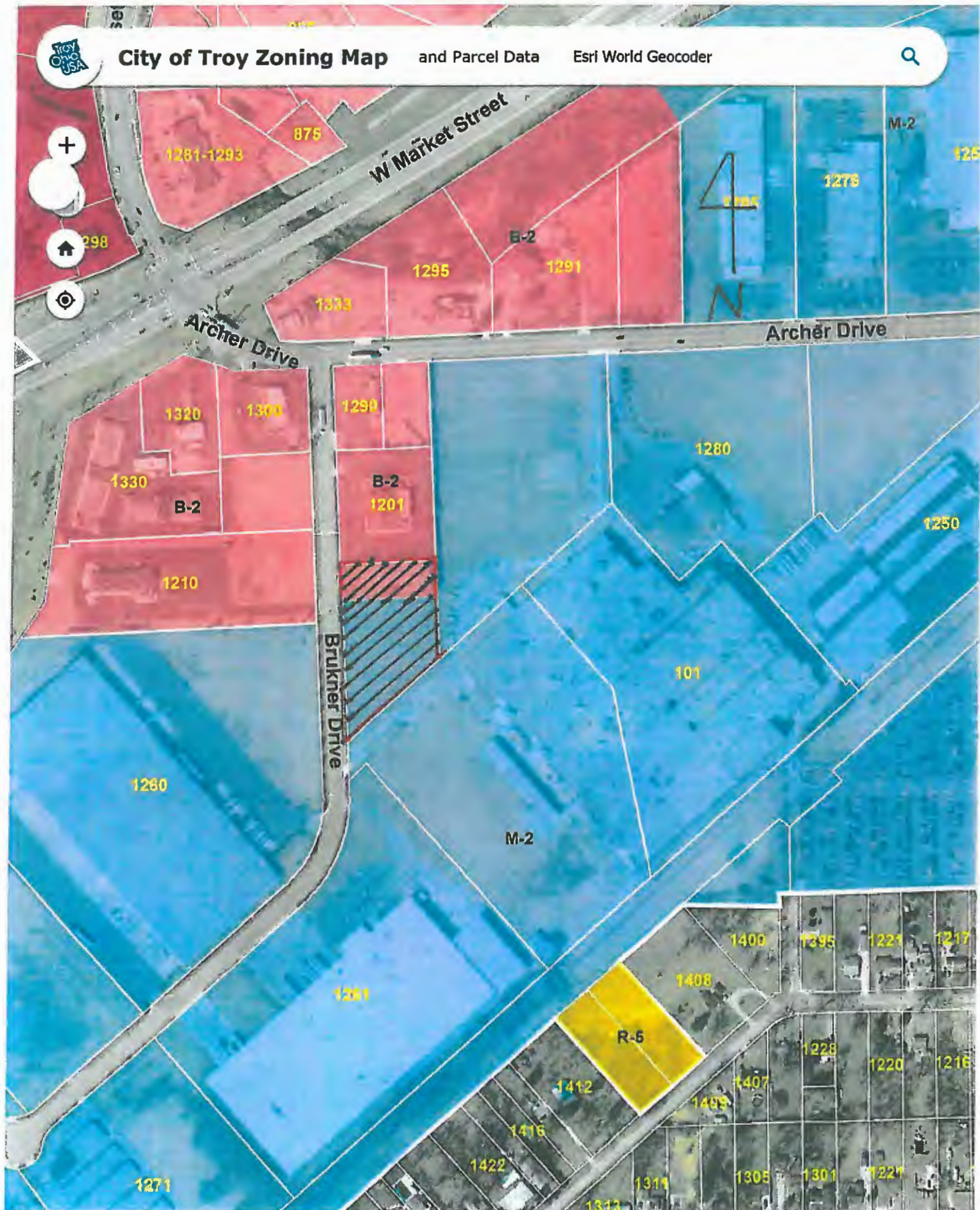
REPLAT OF PARTS OF LOT 6057, PART OF LOT 6060, PARTS OF LOT 6067, AND LOT 6647 IN THE CITY OF TROY, OH.		
F.A. ARCHER PARTNERSHIP, LTD. TROY, OH.		
RICHARD W. KLOCKNER & ASSOCIATES, INC. CIVIL ENGINEERING & LAND SURVEYING TROY, OHIO 45374 (513)-280-5331		
DATE	DRAWN BY: A.S.	SHEET NO.
Aug. 13, 1992	TRACED BY:	1 of 2
	CHECKED BY: R.W.K.	
	SCALE: 1" = 200'	

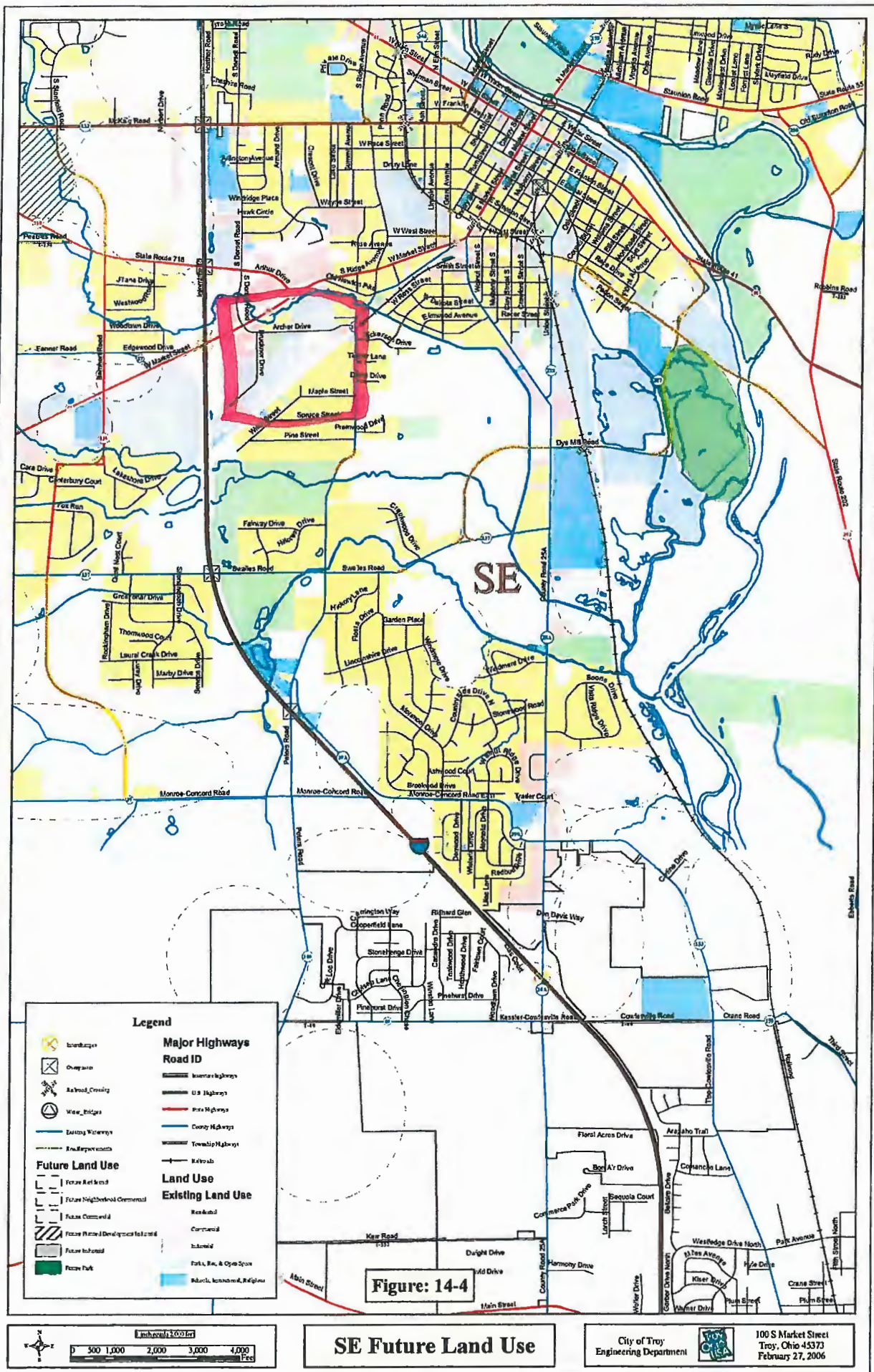
EXHIBIT E

Property Owners Within 250 feet of Inlot 9678

<u>Lot #</u>	<u>Owner</u>	<u>Mailing Address</u>
6063, 6065, 6066	BF Goodrich Co	8 Farm Springs Road Farmington, CT 06032
7591	Tenoh, LLC	PO Box 1107 Effingham, IL 62401
7997	JES OH Troy 212 LLC	2335 S. Wacker Drive Suite 350 Chicago, IL 60606
6067	BPV Inc.	3401 S. Keystone Avenue Indianapolis, IN 46237
7593	FA Archer Partnership	2600 NE 14 th Causeway Street Pompano Beach, FL 33062
7596	Earhart Brothers Leasing, LLC	1494 Lytle Road Troy, OH 45373







ORDINANCE No. 0-22-2016

Dayton Legal Bl + k, Inc.

by Brukner Dr

**ORDINANCE CHANGING THE ZONING OF INLOT 9678
(PARCEL NO. D08-105060) IN THE CITY OF TROY, OHIO
FROM THE DUAL ZONING OF M-2, LIGHT INDUSTRIAL
DISTRICT AND B-2, GENERAL BUSINESS DISTRICT TO
THE SINGLE ZONING OF B-2, GENERAL BUSINESS
DISTRICT**

WHEREAS, a request for zoning change was presented to the Planning Commission of the City of Troy, Ohio, to rezone Inlot 9678 (Parcel No. D08-105060) in the City of Troy, and

WHEREAS, the Planning Commission of the City of Troy, Ohio, has reviewed the plan and recommended approval, and

WHEREAS, at least thirty days notice of the public hearing of said change has been provided in a newspaper of general circulation,

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Troy, Ohio as follows:

SECTION I: That the zoning of Inlot 9678 (Parcel No. D08-105060) in the City of Troy, and as shown on Exhibit A attached hereto, is changed from the dual zoning of M-2, Light Industrial District, and B-2, General Business District, to the single zoning of B-2, General Business District.

SECTION II: That this Ordinance shall be effective at the earliest date allowed by law:

Adopted: _____
President of Council

Approved: _____

Attest: _____
Clerk of Council Mayor

Legal Description

Situate in the State of Ohio, County of Miami, and City of Troy to wit:

Being all of Inlot 9678, in said City of Troy, as evidenced on the
F.A. Archer Partnership Plat in Plat Book 20, Page 69 of the Plat
Records of Miami County, Ohio.

Parcel No. D08-105060

ORDINANCE No. 0-23-2016

Dayton Leg. & Bldg. Div.

**ORDINANCE AUTHORIZING THE USE OF PUBLIC AREAS
FOR THE 2016 TROY STRAWBERRY FESTIVAL AND
AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE AND
SAFETY OF THE CITY OF TROY, OHIO TO ENTER INTO AN
AGREEMENT THEREFOR**

WHEREAS, the Troy Area Chamber of Commerce and Troy Strawberry Festival, Inc. have requested changes for the 2016 Troy Strawberry Festival, to be held on the weekend of June 3 - 5, 2016, (the hours of the actual festival activities being from 6 PM to 9:30 PM on Friday, June 3, 2016, from the 9:15 AM opening ceremonies to 8 PM on Saturday, June 4, 2016, and from 10 AM to the 6 PM closing of the festival on Sunday June 5, 2016) requesting that it be located on the levee, the Hobart Arena and Stadium parking lots, the Market Street Bridge (closed to facilitate the Festival), the North Market Street Ball Field parking lot, and in the downtown area as shown on the attached "Exhibits A - D"; providing that estimated costs to the City of Troy will not exceed a total of Fifty-eight Thousand, Six Hundred Dollars (\$58,600.00), with a pre-festival payment of Seven Thousand, Five Hundred Dollars and no/100 (\$7,500.00) to be made to the City by the Troy Area Chamber of Commerce and Troy Strawberry Festival, Inc. for the estimated costs that exceed the said Fifty-eight Thousand, Six Hundred Dollars (\$58,600.00), and that an agreement be entered into therefor; and

WHEREAS, Troy City Council is of the opinion that such request is reasonable and appropriate for the 2016 Strawberry Festival; and

WHEREAS, without interfering with attendees right to engage in this conduct at other times in this location and in other places at all times; and without interfering in attendees right to engage in other, non-prohibited conduct during the 2016 Strawberry Festival; because of Troy City Council's interest in preserving the public's safety and its interest of proper management of the anticipated large crowd of attendees (upwards of 100,000 attendees per day in past years), certain actions during the actual festival activities each day and for the hour before and after each day's activities of the festival, within the event area as shown on the attached "Exhibits A - D", should be limited, such as the carrying of weapons at the festival, having non-handicap-assist animals at the festival, the use of drones except as approved by the City for event documentation and marketing purposes only, and engaging in the act of writing, painting, chalking or otherwise permanently or temporarily defacing or marking on the public streets, sidewalks, alleys or other public areas in the event area during the festival, unless otherwise allowed by law; and

WHEREAS, it is appropriate and prudent for the City of Troy, through its Director of Public Service and Safety to enter into such an agreement regarding the 2016 Troy Strawberry Festival; and

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Troy, as follows:

SECTION I: That the Director of Public Service and Safety of the City of Troy, Ohio is authorized to establish terms and conditions for the use, by the Troy Area Chamber of Commerce and Troy Strawberry Festival, Inc., of the public areas and the areas adjacent to the Great Miami River, as shown on "Exhibits A - D" attached hereto, beginning at 9:00 PM on Thursday, June 2, 2016 and ending at 7:00 AM on Monday, June 6, 2016 as the site of the 2016 Strawberry Festival; a pre-festival payment to be made to the City on or before May 5, 2016 in the amount of Seven Thousand, Five Hundred Dollars (\$7,500.00) for the costs that exceed the said Fifty-eight Thousand, Six Hundred Dollars (\$58,600.00) estimated costs of the City.

SECTION II: That the sale of wares by peddlers and itinerant vendors, except by persons associated with and authorized by Troy Area Chamber of Commerce and Troy Strawberry Festival, Inc., are prohibited in the event area shown on "Exhibit A - D", from 5:00 PM to 10:30 PM on Friday, June 3, 2016; from 8:15 AM to 9:00 PM on Saturday June 4, 2016; and from 9:00 AM to 7:00 PM on Sunday June 5, 2016.

SECTION III: That the sale of alcohol and the possession of open containers of alcohol shall not be permitted in the public areas of the event area shown on "Exhibits A - D", attached hereto during the 2016 Strawberry Festival.

SECTION IV: That the Director of Public Service and Safety of the City of Troy, Ohio is hereby authorized to enter into an agreement with the Troy Area Chamber of Commerce and Troy Strawberry Festival, Inc. based upon the terms and conditions herein provided, plus other terms and conditions he deems necessary, regarding the 2016 Troy Strawberry Festival.

SECTION V: That, unless specifically authorized by the Troy Police Department, or otherwise permitted by law, no person from 5:00 PM to 10:30 PM on Friday, June 3, 2016; from 8:15 AM to 9:00 PM on Saturday, June 4, 2016; and from 9:00 AM to 7:00 PM on Sunday, June 5, 2016, shall possess within or bring into the event area as shown on "Exhibits A - D", attached hereto, any knife, club or any other instrument, device or thing that is capable of inflicting serious physical harm, that is designed or specifically adapted for use as a weapon, or that is possessed, carried or used as a weapon. This Section does not apply to law enforcement officers or to canes, crutches or other similar devices used by persons who are visually or physically impaired.

SECTION VI: That from 5:00 PM to 10:30 PM on Friday, June 3, 2016; from 8:15 AM to 9:00 PM on Saturday, June 4, 2016; and from 9:00 AM to 7:00 PM on Sunday, June 5, 2016, no person shall bring any animal into the event area as shown on "Exhibits A - D", attached hereto, unless such animal is being or will be used by law enforcement officials in the performance of their duties, or as a guide dog or other handicap-assist animal.

SECTION VII: That no person shall engage in the act of writing, painting, chalking or otherwise permanently or temporarily defacing or marking on the public streets, sidewalks, alleys or other public areas in the event area, as shown on "Exhibits A - D", attached hereto, from 5:00 PM to 10:30 PM on Friday, June 3, 2016; from 8:15 AM to 9:00 PM on Saturday, June 4, 2016; and from 9:00 AM to 7:00 PM on Sunday, June 5, 2016.

SECTION VIII: That from 5:00 PM to 10:30 PM on Friday, June 3, 2016; from 8:15 AM to 9:00 PM on Saturday, June 4, 2016; and from 9:00 AM to 7:00 PM on Sunday, June 5, 2016, in the event area as shown on "Exhibits A - D", attached hereto, no person shall use drones except as approved by the City for event documentation and marketing purposes only.

SECTION IX: That whoever violates Sections II, V, VI or VII of this Ordinance is guilty of a minor misdemeanor.

SECTION X: That this Ordinance shall be effective at the earliest date allowed by law.

Adopted: _____

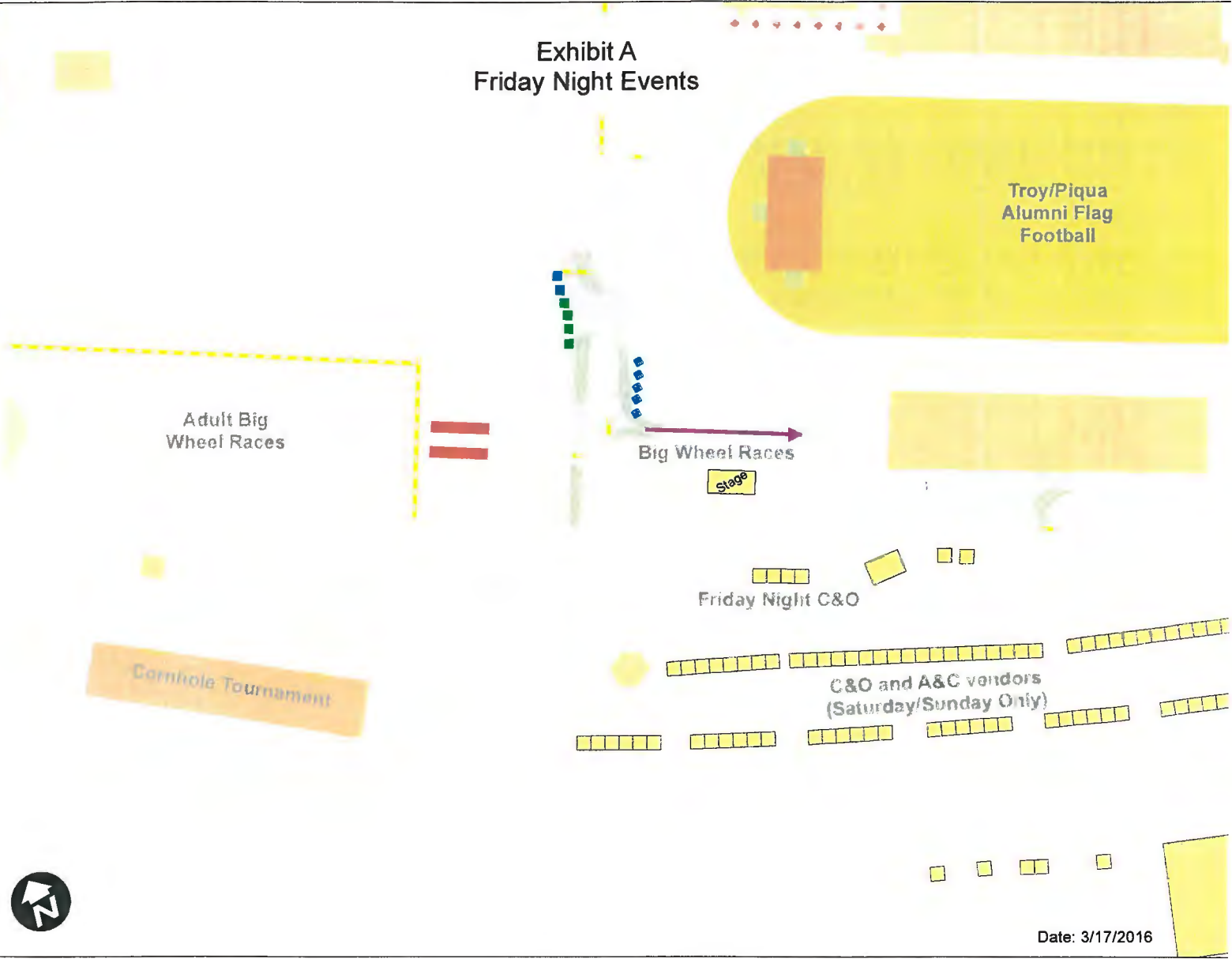
President of Council

Approved: _____

Attest: _____
Clerk of Council

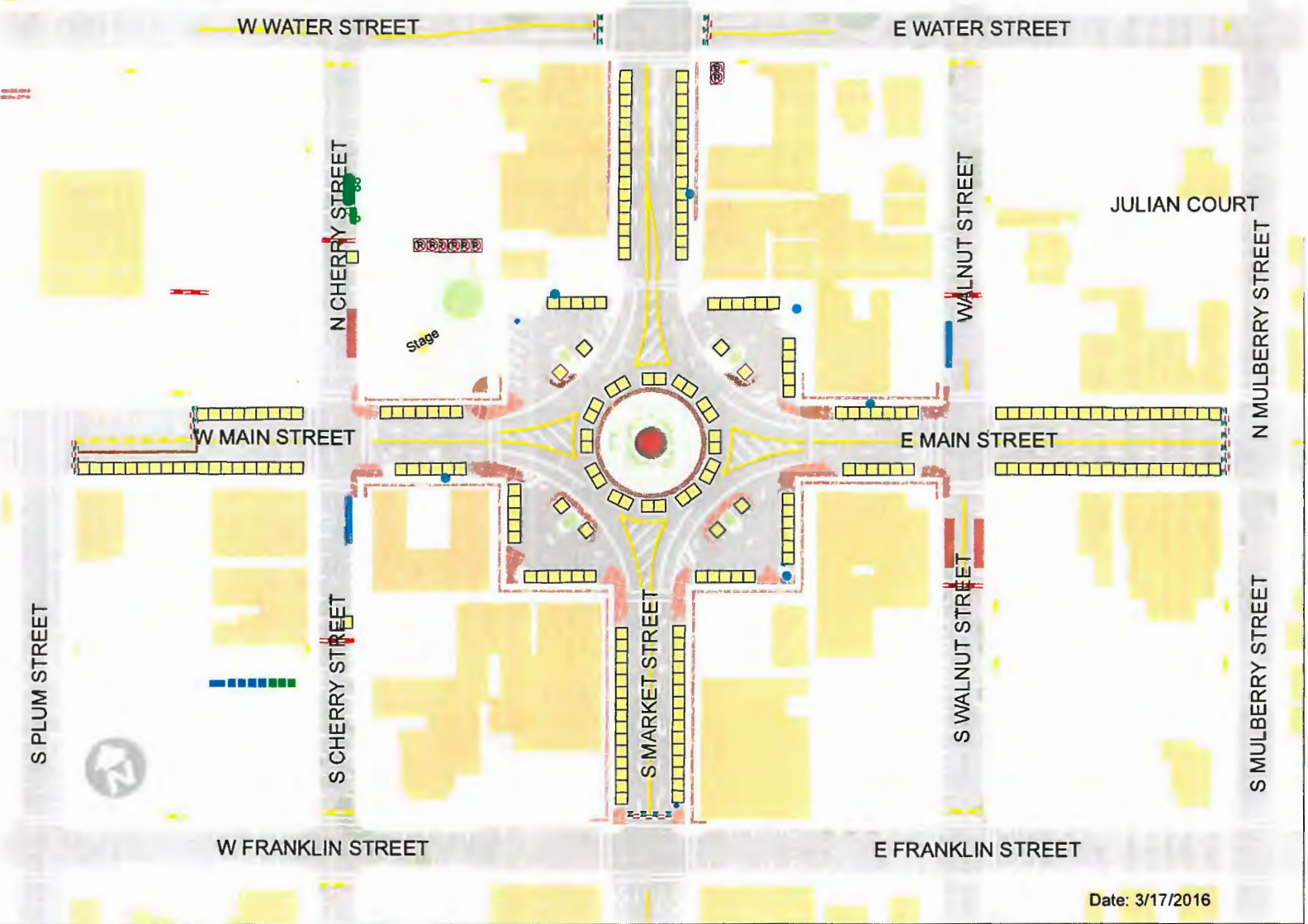
Mayor

Exhibit A
Friday Night Events



Date: 3/17/2016

Exhibit B
Downtown Venue



Date: 3/17/2016

Exhibit C
Levee Venue

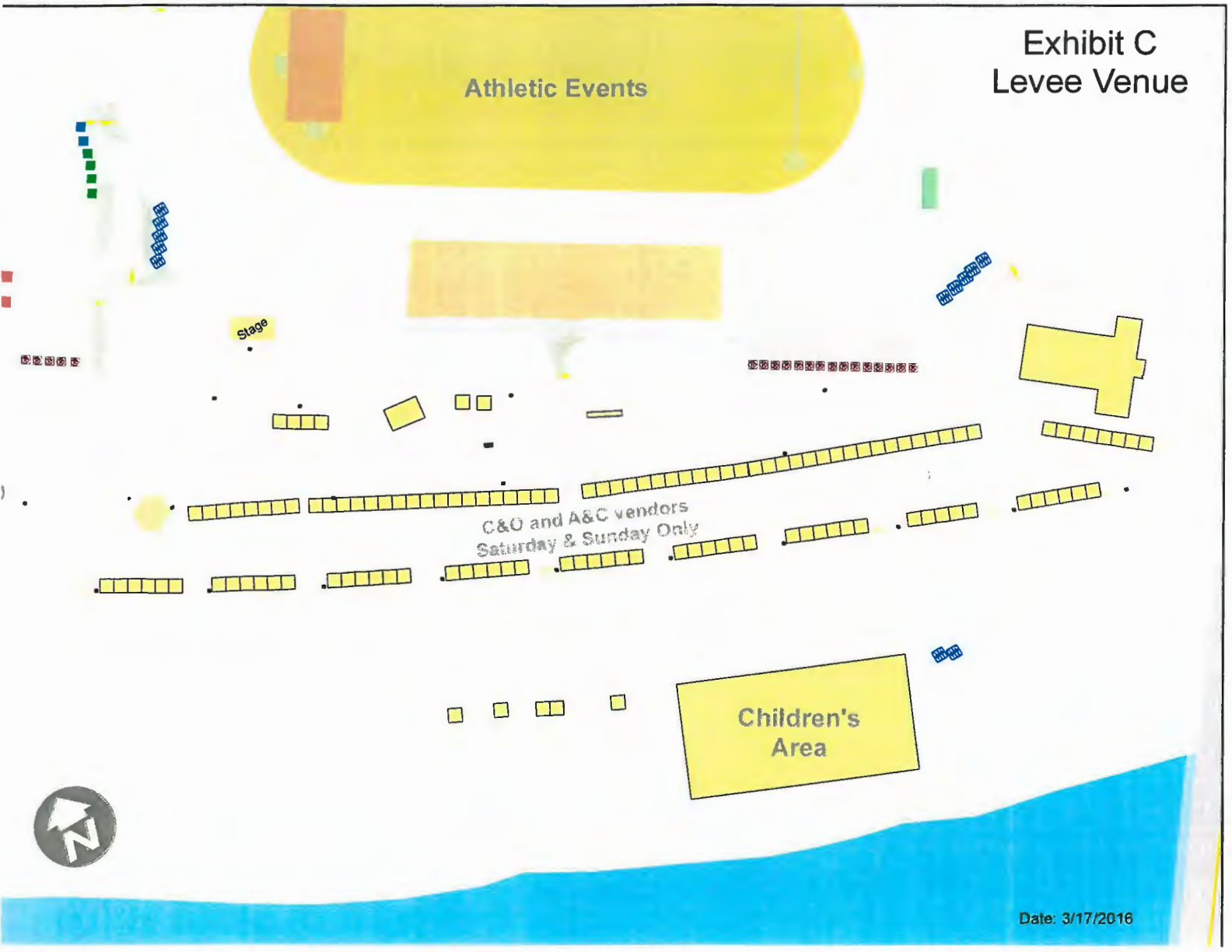
Athletic Events

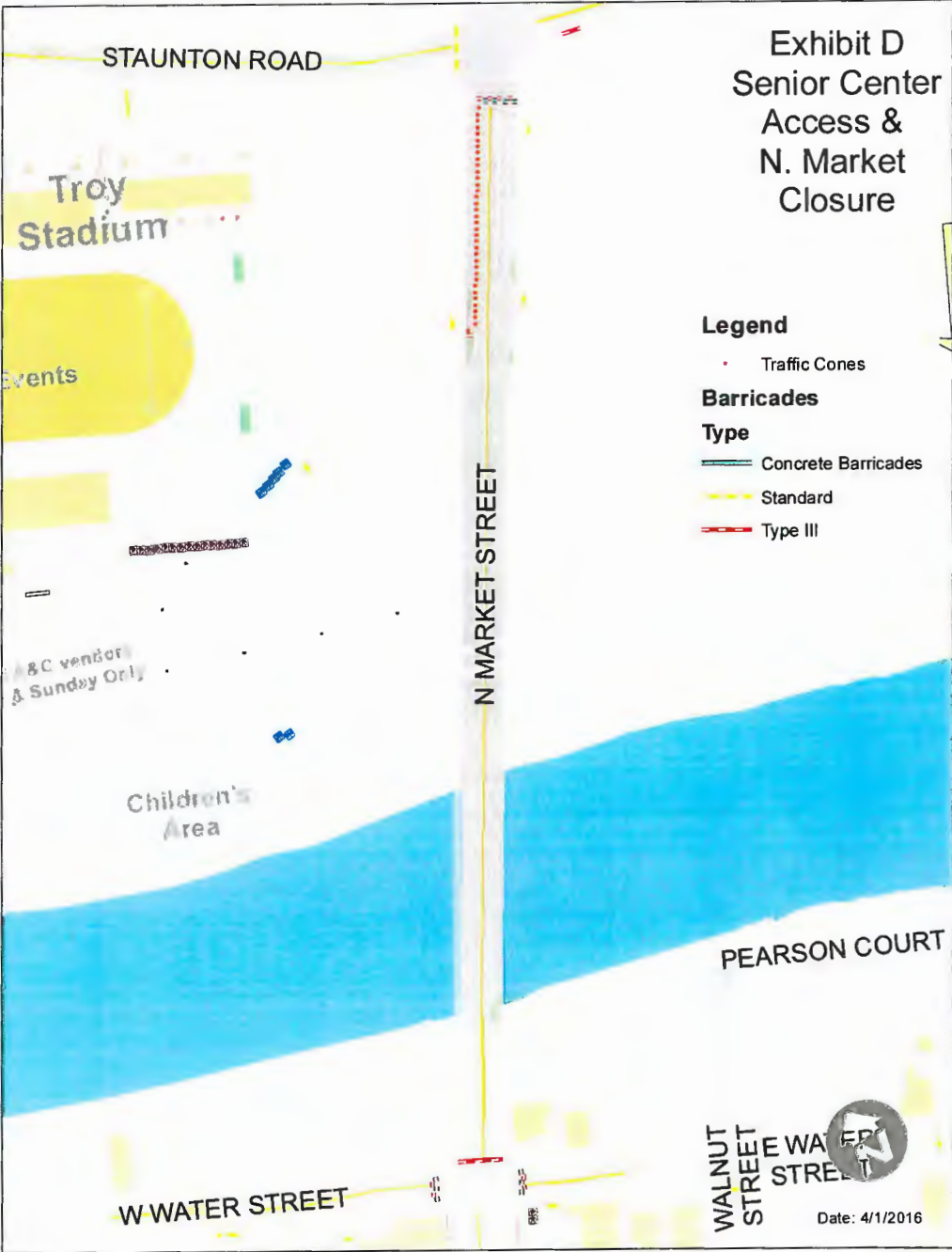
Stage

C&O and A&C vendors
Saturday & Sunday Only

Children's
Area

Date: 3/17/2016







City of Troy

ITEMS OF INTEREST

TO: Mayor Beamish
Mrs. Baker, President of Council
Council Members

FROM: Patrick E. J. Titterington, Director of Public Service and Safety

A handwritten signature in black ink, likely belonging to Patrick E. J. Titterington, the Director of Public Service and Safety.

DATE: April 1, 2016

We are providing the following for your information:

- Major Project Update:
 - Sidewalk Program 8 – the work has been completed. Council authorized the final assessment, and letters have been sent to property owners advising of those assessment amounts. The property owners have until April 15 to make payment in full; thereafter, the amounts will be certified to the County to be assessed over a five-year period.
 - Marina Building – interior work continues. The aerial walkway and exterior balcony work and structural steel installation are now underway.
 - Treasure Island Park – work continues to proceed for both the amphitheater and the shelter house and work is underway on the large entry sign by Elm St.
 - Streetscape (East Main Street between Walnut and Mulberry Streets) – sidewalk reconstruction and asphalt restriping has been completed. Traffic signal bases are set and the contractor is waiting delivery of the poles. Temporary lighting and trees have been installed.
- The Lincoln Statue is scheduled to be removed on Monday, April 4. To accommodate the crane and for the safe removal of the statue, W. Main St. will be closed from Short St. to Plum St. from 7:00 am until the roadway can be safely opened, which should be later that day.
- The Distribution Committee of The Troy Foundation authorized a grant of \$10,000 towards the City of Troy's July 4th fireworks. This is the same grant amount as approved in recent years.
- The City of Troy will hold its annual "Spring Neighborhood Clean-up Week" April 11 through April 15, 2016. During this week only, residents will be permitted to exceed the standard five-bag limit for household refuse.

- Other information provided by City departments is attached.

Upcoming Events at Hobart Arena

April 23	Rend Collective, Family We Go Tour
April 28	Chamber Business Expo
May 24	Troy High School Senior Awards Assembly
May 26	Upper Valley Career Center Graduation
May 27	Miami East High School Graduation
May 28	Troy High School Graduation
May 29	Covington High School Graduation

Calendar of Meetings

April 4	7:00 p.m.	Council	City Hall Council Chambers
April 13	3:30 p.m.	Planning Commission	City Hall
April 18	7:00 p.m.	Council	City Hall Council Chambers
April 20	4:00 p.m.	Rec Board	Hobart Arena
April 27	3:30 p.m.	Planning Commission	City Hall

If you have any questions, please do not hesitate to contact this office.

Enclosure

cc: Department Heads



Operations
Items of Interest
April 1, 2016

Street/Solid Waste – Jerry Mullins, Foreman

- Collected and transported 225 tons of residential trash since the last report of 220 tons.
- Handled 5 recycling complaints and 1 trash complaints.
- Made 19 pothole repairs with cold mix and the new asphalt infrared recycling machine.
- Started crack sealing in Kings Chapel.
- Finished up our repairs and painting of over 250 wooden barricades.
- Cleaned and swept the square and downtown area.
- The Dye Mill Road Facility has opened and several residents have already brought their yard waste in for drop off.
- We are already seeing several piles of brush and yard waste that have been placed to the curb without being bundled, or placed in yard waste bags (T-bags). Letters will be sent to those addresses letting the residents know that their yard waste must become compliant in order for it to be collected.
- Collected several compliant brush piles and T-bags.

Electrical – Brian Ferree, Foreman

- Completed Ohio Utilities Protection Service requests as needed.
- Installed a new electric heater inside the pro-shop at the golf course.
- Tornado siren was repaired at the Barnhart water tower.
- Installed temporary electric for the circus at Hobart Arena and Third Day concert.
- Traffic signal at Arthur Rd. and State Route 55 had a new electrical disconnect installed.
- Installed a new cable on a radar unit used for vehicle detection at W. Market St. and Archer Dr. intersection.
- Repaired several bollard lights downtown.
- Installed a new time clock at Heywood School. The clock activates the school zone flashers.
- Installed two new light switches and repaired several parking lot lights at Fire Station 2.
- Repaired a security light on the outside of the restrooms at Duke Park.

Water Distribution/Sewer Maintenance - Tom Parsons, Foreman

- Marked numerous Ohio Utilities Protection Service tickets.
- Investigated numerous high consumption alerts.
- Completed numerous work orders for Billing and Collection.
- Shut-off non-payment customers and reconnected as payments were made.

- Upgraded water services on: E. Franklin St., S. Counts St. and W. Canal St.
- Shut water off on Mystic Lane N. due to broken line inside.
- Installed 4" Inserta-valves on: E. Franklin St. at Williams St., E. Franklin St. at Ellis St. and E. Canal St. at Williams St.
- Removed a broken 6" valve on Harrison St.
- Disconnected water on Penn Rd. for repairs.
- Investigated sanitary sewer on McKaig Rd. for new construction.
- Investigated sewer at old Friendly site.
- Cleaned sanitary lines on W. Franklin St.
- Used camera in sewer line at W. Main St. and Stanfield Rd.
- Investigated a sewer call on Crawford St.; it was not ours.

Water Treatment Plant – Jeff Monce

- Installation of the new Chemco lime slaker is complete. Training was conducted March 23 and this lime mixing unit has been placed in full operation. It will be used nearly continuously during the one-year warranty period. Performance of this machine thus far has been impressive and trouble-free.
- Final design work for the 900 kW Water Treatment Plant emergency generator control power transfer system is complete. This system will enable WTP staff to remotely actuate medium and high voltage breakers using generator power. This will reduce the time needed for switchover to the emergency generator and eliminate staff exposure to hazardous arc-flash conditions. This work will be accomplished at much lower cost than conventional automatic transfer systems.
- Reagent Technologies is continuing sludge removal from the east sludge lagoon. Work will continue through mid-May.
- Supt. Jeff Monce gave a presentation at Miami-Jacobs Career College March 22 to explain Troy's lead and copper sampling programs and our corrosion control methods. Plant staff is revising lead and copper sampling instructions to comply with new OEPA requirements. Further updates to lead sampling and reporting protocols are anticipated as USEPA reviews recent lead contamination incidents.
- Technicians from a lawn care company reseeded grass areas around Well 18, which is located off the 9th fairway at Miami Shores Golf Course. This area was damaged during well maintenance activity last fall. Costs for this work have been paid by the well-drilling company.

Wastewater Treatment Plant – Tim Snider

- Staff continues to rehab UV modules in preparation for the 2016 disinfection season that begins on 5/1/16.
- Staff are prepping and painting the aeration tank blowers.
- On March 18, hosted Pre-Construction meeting for the screw pump replacement project.
- A roofing company made repairs to the roof on the sludge processing building.
- Contractor installed a new hoist in the sludge processing building. This hoist replaces an existing one that could no longer pass annual OSHA safety inspections. This was a 2016 budgeted item.
- Contractor was on site to trouble shoot operational issues with an actuator valve and also to inspect manual valve actuators on the R.A.S. (Return Activated Sludge) header.
- ADT was on site to install wireless communications for the alarm system.
- R.A.S. pump #4 has a broken pump shaft. Repairs will be made and the pump returned to service as soon as possible.
- Staff continues to complete preventive maintenance work orders.

**Items of Interest
Engineering Department
March 30, 2016**

PROJ #	PROJECT TITLE	PROJECT STATUS
PUBLIC WORKS PROJECTS		
2015-01	MIA - Troy East Main Street Downtown Streetscape (PID 93240)	ODOT will fund a portion of this project. LJ DeWeese Co., Inc. was awarded the project. Sidewalk reconstruction has been completed, and asphalt restriping completed. Contractor is waiting delivery of the poles, which are scheduled for delivery in the spring. Temporary lighting and trees have been installed. Awaiting updated shipping date from the manufacturer.
2014-16	Hobart Arena Renovation and Expansion	Construction contract awarded to Monarch Construction, Inc. Soils preparation for concrete footers and pads is ongoing. Every other week construction coordination meetings are occurring with the contractor and MSA. MSA, the design architect, has been authorized to perform construction management during the construction period.
2014-17	Marina & Boathouse Renovation	The contract was awarded to Bruns General Contracting. Interior work is continuing. Balcony/deck improvements have begun with structural steel installation ongoing. The contractor is finalizing, cleaning and punch listing the interior. The remaining exterior work is anticipated to be completed by the end of April. Staff/contractor are working on the punch list for the exterior.
2014-18	Treasure Island Marina & Park Improvements	The City entered into a contract with Double Jay Construction. The shelter house and amphitheater construction continues. Work slowed due to weather delays. A construction progress meeting was held on April 1 and the contractor presented a plan to restart Spring construction.
2014-12	Extra High Service (EHS) Water Tower	Council authorized an agreement for the design of a new Extra High Service Water Tower with the firm of EMH&T. Bids for the Water Tower project bids were opened March 30 and the bids are being reviewed.
2014-03	Water Regionalization Study	Council authorized a contract with RA Consultants. The City provided estimated hours for operations and administration necessary for West Milton and Miami County infrastructure. Staff continues to work with the consultant. Phase 2 of the regionalization, looking at the County as a retail customer, is being analyzed. Meetings with West Milton and Miami county were held on March 9. Awaiting County response from the results meeting. West Milton is interested in moving to the next phase of City retail services.
2015-05	Sewer Regionalization Study	Council authorized a contract with RA Consultants, LLC. The City provided estimated hours for operations and administration necessities for West Milton and Miami County infrastructure. Staff continues to work with the consultant. Phase 2 of the regionalization, looking at the County as a retail customer, is being analyzed. A meeting with Miami County was held on March 9. Awaiting County response from the results meeting.
2015-03	Washington Road Waterline	Staff entered into an agreement with Choice One Engineering Company for the design of a water loop along Washington Rd from W. Main St. to W. Stanfield Rd. Finrock Construction Co. was awarded the construction contract. Finrock is over 75% complete with the installation of the water line; restoration will commence after the water line installation is completed.

**Items of Interest
Engineering Department
March 30, 2016**

PROJ #	PROJECT TITLE	PROJECT STATUS
2015-04	Nottingham Subdivision Sewer Gravity	Access Engineering, LLC was authorized to design a gravity sewer from the Nottingham Subdivision to Piqua-Troy Rd at Troy-Urbana Rd. Easement requests are being coordinated with the property owners. Preliminary layout has been reviewed and the design continues. Bidding and construction is anticipated for Summer of 2016.
2015-10	Troy Recreational Trail Resurfacing (PID 100778)	Council approved the ODOT LPA Agreement including accepting ODOT funding and finalizing bike path easements according to federal regulations. Resurfacing is scheduled to occur SFY 2020 (calendar year July 2019). The project will be Local-Let (i.e. implemented by City Staff) and will be funded 80/20 ODOT/Troy. Staff has begun the environmental review and right-of-way acquisition with ODOT. Staff will be requesting RFPs for anticipated ROW/easement acquisition.
2015-29	West Market Street (SR 55) and Fenner Road Traffic Signal	Choice One Engineering Co. completed the design of the signal. Bansal Construction, Inc. has been awarded the contract. Choice One is performing construction administration and periodic inspection of the construction contractor. A preconstruction meeting was held, and submittals are filing in. Site work is anticipated in May 2016.
2014-08	McKaig Road Improvements Phase 3	This phase includes work from Madison St. (RR tracks) alley west of Lake St. (end of Heywood Elementary property). Council authorized an agreement with LJB, Inc. to design the project. Staff was granted authorization to bid McKaig 3 at a cost not to exceed \$1,500,000. The bid opening will be held April 6.
2015-23	North Market Street Improvements Phase 2	This phase includes work from Kirk Lane/Foss Way to Stonyridge Ave. Council authorized to award the design contract to Choice One Engineering Corporation. Construction is anticipated to occur in 2017.
ANNUAL PROJECTS		
2014-21	Sidewalk Program 8	I.F. Weber has completed the project. Invoices have been sent to the property owners involved in this program; the property owners have until April 15 to pay the bills or they will be assessed to their property taxes for five (5) years.
	Sidewalk Program 2016	Sidewalk quantities have been obtained/measured for the 2016 sidewalk repair program. Staff is requesting Council authorize the Resolution of Necessity for the 2016 sidewalk program which is located in the following location: areas along S. Plum St., S. Cherry St., S. Walnut St. and S. Mulberry St. between Main St. and Franklin St.; S. Market St., S. Walnut St. and S. Mulberry St. between E. Franklin St. and E. Canal St.; and the area encompassed by S. Market St., E. West St., S. Clay St., Ross St., and S. Mulberry St. which include the following streets Young, Enyeart and Dakota. Packets explaining the City's sidewalk repair program were sent out this week with response from property owners requested by May 13, 2016 as to how they would like to proceed with repair of their sidewalks.
	Paving Program 2016	Streets to be paved are being coordinated with Vectren Bare Steel/Cast Iron replacement program, Water/Sewer/Storm necessary improvements, and the age of the existing street. Council will consider legislation at the April 4 meeting to authorize bidding the paving program, including McKaig Rd. from S. Dorset Rd. to SR 718.

**Items of Interest
Engineering Department
March 30, 2016**

PROJ #	PROJECT TITLE	PROJECT STATUS
96435	MIA - 55 - 11.83 Bridge Redecking North Market Street (PID 96435)	ODOT-Let and funded project. Project will begin construction in June 2016. The bridge will remain open but traffic will be modified with half of the bridge closed at a time. Resurfacing of N. Market St. from Water St. to Staunton Rd. will be completed as part of the redecking project at an 80/20 cost split (ODOT/City). Council authorized the 20% estimated funding for the project to proceed.
	Engineering Electronic and Hard Copy File Organization	Staff has been working with an outside contractor to make the Engineering electronic/hard copy files organized in such a way that all staff can have access to most documents. This will improve efficiency with document filing and reduce the volume of space necessary. Staff re-implemented project numbers. Record drawings organization, personnel files clean-up, and project processes continue. P&Z files are also being organized. Project categorization and filing process is being finalized. Records retention and organization of the Zoning hard copy files are being analyzed and implemented.
2015-11	Updating City Construction Standards	Staff is working with Choice One Engineering Corporation to update the standards. A review meeting occurred and updates are being completed by Choice One. Another review meeting will occur the middle of April to continue reviewing the marked-up standards.
	Sensus Analytics Controlled Launch	A kick-off meeting occurred, but Staff is awaiting water tower maintenance contract discussions prior to attaching to the tower. Contact has been made with Caldwell Tanks, the tank maintenance contractor, and they are reviewing the additional connection requests per contract requirements.
	Water Tower Tank Asset Preservation Program On-Going Maintenance	The City was approached by Caldwell Tank, Inc. to transfer the existing contracts to Utility Service Group. Council authorized the transfer of the agreement to the Utility Service Group. Agreement will be transferred to Utility Service Group once the City of Troy signs the appropriate paperwork after April 6, 2016.
	GPS Data Collection	Collection of data continues. Staff is obtaining OUPS markings from the Vectren gas main work occurring throughout the City and other construction/maintenance activities from City staff or contractors.
	Sidewalk, Sewer, and Sump Inspections	Inspections are continuing to be completed as requested.

SUBDIVISION PROJECTS

2012-08	Edgewater	Section 7 has obtained final course of asphalt, and escrow agreement will be held until final buildout of subdivision. Section 8 was approved by Council. Construction plan comments have been returned to the developer's design engineer, and staff is awaiting modifications.
2015-07	Halifax	Section 1 underground utilities installation and the initial course of asphalt have been installed. House construction has begun. Staff has been asked to look into lighting options.
2007-25	Hawk's Nest	Section 2 awaiting final course of asphalt. A punch list has been completed and forwarded to the developer.
2015-06	Nottingham	Section 7 final course of asphalt is completed. Section 8 construction has intermediate course complete and housing development will begin in the next month. Section 9 is approved. An escrow agreement is being requested by the developer, and construction is being completed by C Miller Excavating.

**Items of Interest
Engineering Department
March 30, 2016**

PROJ #	PROJECT TITLE	PROJECT STATUS
2003-35	Villages of Concord (formerly Oakmont)	Section 5 is awaiting final punch list and final course of asphalt. Due to the lack of construction progress in recent years, the City is investigating the potential of completing the subdivision via special assessment process. Punch list has been created and forwarded the developer in order to attempt to complete the subdivision. Staff has reached out to developer to encourage completion of development without assessment process.
2007-19	Pleasantview Estates	Section 3 is awaiting final course of asphalt. Due to the lack of construction progress in recent years, the City is investigating the potential of completing the subdivision via special assessment process. punch lists have been completed and will be sent to the developer in order to attempt to complete the subdivision. Section 4 plat has been approved. Construction has not begun.
2013-19	Stonebridge Meadows	Section 2-B final course of asphalt has been completed. Section 3 construction has intermediate asphalt with final grading occurring for house pad elevations. Due to fill issues, the escrow agreement continues to be evaluated with the developer. The homebuilder, Ryan Homes, has contacted the City to remedy issues with the escrow agreement. Construction drive maintenance and stormwater controls maintenance has been requested by the developer due to their current condition.
2016-02	Legacy Grove	A developer has requested approval for a Planned Unit Development (PUD) for a plat of land along McKaig Road east of Concord Elementary School. The proposal will be going to Planning Commission.



100 South Market Street
Troy, Ohio 45373
Telephone: (937) 339-9601
www.troyohio.gov

Date: March 29, 2016
To: Patrick Titterington, Director of Public Service and Safety
From: Jim Dando, Development Director
Subject: Items of Interest – StoryPoint Senior Living Construction Project

About this time last year, the Planned Development was approved for the StoryPoint Senior Living project to be located north of the Troy Walmart. In the past year, financing was arranged, the land was acquired, and construction planned. Construction is proceeding, with the third story now being framed.



From an economic development point of view, this is an unusual project. It is located in the Troy Towne Park TIF area, which had been planned as an office/commercial center in 2005. The Great Recession slowed all construction. Nevertheless, Troy Towne Park did enjoy some new building construction almost every year. Now market forces are picking up, particularly for businesses that will serve the aging/retiring Baby Boom Generation. StoryPoint is designed to fit that need.

The project is being financed by a bond process through a joint venture of the Dayton-Montgomery County Port Authority and the Port of Greater Cincinnati Development Authority. The Port Authority owns the land, is financing the construction, and will lease the completed project to StoryPoint. The bonds will have a 30-year payback term and will bring \$32,860,000 to the project, which is expected to cost just over \$35,000,000. The cost includes about \$18,000,000 for the actual construction, with the rest going to acquisition of the land, furnishings/equipment, and various “soft” costs such as interest during the construction phase.

The economic development aspect is the employment of up to 100 people to operate the complex and serve the residents’ needs. The community development aspect is that it will provide an alternative for retiring Troy residents who don’t want to leave the community when they want senior living amenities. The completed project will have 158 units, including 92 Independent Living Units, 30 “Harbor” units, 18 Assisted Living Units, and 18 “Memory Care Units”.

The StoryPoint project will add to Troy’s wide range of housing opportunities.

MEMO

To: Patrick Titterington, Director of Public Service and Safety

From: Tim Davis, Planning & Zoning Manager

Date: March 30, 2016

Subject: Planning Division Update

I have attached two reports which summarize concerns that are being addressed by the Planning Division from March 16, 2016 to March 30, 2016. The first report shows all permits that were issued by the Planning Division. The report contains the address and type of permit and separates the information by each ward. There were 24 permits issued during this time period.

The second report contains the address, type of concern, and a summary of the current status of on-going issues. Both open and closed concerns are listed and are separated by each ward.

As in the past, all costs associated with the removal of trash and elimination of noxious weeds will be invoiced to the property owner. If the property owner does not pay the invoice, the cost will be assessed to the property taxes.

CITY OF TROY - WARD ONE
VIOLATIONS BY ADDRESS
03/16/2016 TO 03/30/2016

617 CARRIAGE DR	BRUSH LETTER HERITAGE HILL 5	03/18/16 20160341	03/18/16 HUFFMAN, ROBERT	07/16/16	03/24/16
3-16-16 sb Brush/debris. Certificate, follow up 3-24-16					
3-24-16 sb Debris removed. Close.					
1048 CLOVERDALE DR	BRUSH LETTER STONY RIDGE 6	03/18/16 20160350	03/18/16 BEATY, CRAIG	07/16/16	
3-16-16 sb Brush/debris. Certificate, follow up 3-24-16					
3-24-16 sb Debris still there, send 48 hr letter. Follow up 3-30-16					
843 CRESTVIEW DR	BRUSH LETTER STONY RIDGE 2	03/18/16 20160348	03/18/16 HADDAD, ARTHUR	07/16/16	03/24/16
3-16-16 sb Brush/debris. Certificate, follow up 3-24-16					
3-21-16 sb Note from property owner that the sticks have been bundled.					
3-24-16 sb Debris removed. Close.					
1240 CRESTVIEW DR	BRUSH LETTER N/A	03/18/16 20160347	03/18/16 ROESER, GERALDINE	07/16/16	03/24/16
3-16-16 sb Brush/debris. Certificate, follow up 3-24-16					
3-24-16 sb Debris removed. Close.					
3-28-16 sb Tom Roeser, son, tel. Debris bundled now and then was removed by Street Dept.					
1217 GETTYSBURG DR	BRUSH LETTER HERITAGE HILL 8	03/18/16 20160343	03/18/16 CARNAHAN, CRYSTLE	07/16/16	03/24/16
3-16-16 sb Brush/debris. Certificate, follow up 3-24-16					
3-24-16 sb Debris removed. Close.					
1231 GETTYSBURG DR	BRUSH LETTER HERITAGE HILL 8	03/18/16 20160342	03/18/16 ROSS, LAURA	07/16/16	03/24/16
3-16-16 sb Brush/debris. Certificate, follow up 3-24-16					
3-24-16 sb Debris removed. Close.					
1385 LEE RD	TRASH & DEBRIS N/A	03/23/16 20160367	03/23/16 JUSTICE, MELISSA	07/21/16	
3-23-16 sb Trash beside house and garage. Certificate, follow up 3-29-16					
1039 LINWOOD DR	BRUSH LETTER N/A	03/18/16 20160340	03/18/16 MURPHEY, BENJAMIN	07/16/16	03/24/16
3-16-16 sb Brush/debris. Certificate, follow up 3-24-16					
3-21-16 sb Note that brush has been cleaned up.					
3-24-16 sb Debris removed. Close.					
442 MAPLECREST DR	BRUSH LETTER N/A	03/18/16 20160332	03/18/16 NICKELS, BILL	07/16/16	03/24/16
3-16-16 sb Brush/debris. Certificate, follow up 3-24-16					
3-24-16 sb Debris removed. Close.					
571 MAPLECREST DR	BRUSH LETTER N/A	03/18/16 20160333	03/18/16 MILLER, ALLAN	07/16/16	03/24/16
3-16-16 sb Brush/debris. Certified, follow up 3-24-16					
3-21-16 sb Note that brush has been taken care of.					
3-23-16 sb Green card dated 3-21-16. Follow up 3-29-16					
3-24-16 sb Debris removed. Close.					
572 MAPLECREST DR	BRUSH LETTER	03/18/16	03/18/16	07/16/16	

	N/A	20160334	TEMPLE, JOSEPH		
3-16-16 sb Brush/debris. Certified, follow up 3-24-16					
3-25-16 sb Green card dated 3-23-16, follow up 3-29-16					
901 MAPLECREST DR	BRUSH LETTER	03/18/16	03/18/16	07/16/16	03/24/16
	STONY RIDGE 3	20160349	WEBB, GERALD	DEBRIS REMOVED	
3-16-16 sb Brush/debris. Certificate, follow up 3-24-16					
3-21-16 sb Message from Carla Webb (216-6405), the sticks have been tied up.					
3-24-16 sb Debris removed. Close.					
3-24-16 sb Debris removed. Close.					
974 MYSTIC LN	BRUSH LETTER	03/18/16			03/24/16
	N/A	20160336	SPIERS, DAVID	DEBRIS REMOVED	
3-16-16 sb Asked Jeff Monce to let David know about the debris. Have not sent letter yet. Follow up 3-24-16, if not removed, send letter.					
3-24-16 sb Debris removed. Close.					
993 MYSTIC LN	BRUSH LETTER	03/18/16	03/18/16	07/16/16	03/24/16
		20160339	NETH, CRAIG AND PAMELA	DEBRIS REMOVED	
3-16-16 sb Brush/debris. Certificate, follow up 3-24-16					
3-21-16 sb Message from Pam Neth 937-608-4828, debris has been cleaned up.					
3-24-16 sb Debris removed. Close.					
1034 MYSTIC LN S	BRUSH LETTER	03/18/16	03/18/16	07/16/16	03/24/16
		20160337	PELLMAN, LARRY	DEBRIS REMOVED	
3-16-16 sb Brush/debris. Certificate, follow up 3-24-16					
3-24-16 sb Debris removed. Close.					
1050 MYSTIC LN S	BRUSH LETTER	03/18/16	03/18/16	07/16/16	
	MEADOWLAWN 5A	20160338	THOMAS, SUSY		
3-16-16 sb Brush/debris. Certified, follow up 3-24-16					
3-25-16 sb Green card dated 3-22-16, follow up 3-29-16					
688 SKYLARK DR	BRUSH LETTER	03/18/16	03/18/16	07/16/16	03/24/16
	MEADOWLAWN 4	20160335	PAYNE, NATHAN	DEBRIS REMOVED	
3-16-16 sb Brush/debris. Certificate, follow up 3-24-16					
3-24-16 sb Debris removed. Close.					
1289 STEPHENSON DR	BRUSH LETTER	03/18/16	03/18/16	07/16/16	
	NORTHBROOK 6	20160346	BARKER, ARNOLD		
3-16-16 sb Brush/debris. Certificate, follow up 3-24-16					
3-21-16 sb Message from Judy Barker (339-3936), debris has been cleaned up.					
1081 STONYRIDGE AVE	BRUSH LETTER	03/18/16	03/18/16	07/16/16	
	N/A	20160344	HARLOW, FRANK		
3-16-16 sb Brush/debris. Certificate, follow up 3-24-16					
1171 STONYRIDGE AVE	BRUSH LETTER	03/18/16	03/18/16	07/16/16	
	NORTHBROOK 1	20160345	WHEELER, THOMAS		
3-16-16 sb Brush/debris. Certificate, follow up 3-24-16					

CITY OF TROY - WARD TWO
VIOLATIONS BY ADDRESS
03/16/2016 TO 03/30/2016

806 ATLANTIC ST	BRUSH LETTER	03/16/16 20160298	03/16/16 YOUNG, ARETHA	07/14/16 TRASH REMOVED	03/21/16
3-16-16 dp Small amount of tree debris in the gutter, I spoke with the owner who has always complied without letters and she said it would be done by the weekend. Follow up 3-21-16. 3-21-16 dp Debris gone close.					
87 DRONFIELD RD	BRUSH LETTER SHERWOOD MANOR 1	03/16/16 20160296	03/16/16 MICHAEL, JACQUELINE	07/14/16 DEBRIS REMOVED	03/23/16
3-16-16 dp Fair sizeable pile of brush in the curb lawn. Certificate letter follow up 3-23-16. 3-23-16 dp Debris gone close.					
801 FRANKLIN ST E	TRASH & DEBRIS N/A	03/24/16 20160374	03/24/16 LUTZ, ASHLEY	07/22/16	
3-24-16 dp I noticed from the cardboard boxes and furniture that is out that the trash would not remove , the cardboard is not Broken down and furniture is leaned against the rear fence off the alley. Certificate letter follow up 3-30-16.					
809 FRANKLIN ST E	TRASH & DEBRIS N/A	03/24/16 20160376	03/24/16 SAWCHEK, TINA M.	07/22/16	
3-24-16 dp Notice a pile of brush with trash mixed in in the rear yard off the alley. Certificate letter follow up 3-30-16.					
114 LITTLEJOHN RD	BRUSH LETTER SHERWOOD MANOR 1	03/16/16 20160297	03/16/16 CORNELL, JOHN & NORMANDIE	07/14/16 DEBRIS REMOVED	03/23/16
3-16-16 dp Small pile of leaves with some tree debris mixed in. Certificate letter follow up 3-23-16. 3-23-16 dp Debris gone close.					
599 LOXLEY LN	FENCE NO PERMIT	03/24/16 20160378	03/24/16 SCOTT, AARON J.	04/01/16	
3-24-16 dp While on routine inspections I noticed this location had a new aluminum black fence installed. I did not recall a permit being applied for and after I checked Franklin and the hard copy file, I found no permit. Certificate letter including an application, follow up 3-30-16.					
802 MARKET ST N	VEHICLE ON GRASS	03/23/16 20160364	03/23/16 MARKLEY NICKIE W	06/21/16 COMPLETED	03/28/16
3-23-16 dp I received an email from TD stating that after business hours the tenants at this location are parking vehicles in the front yard and I was asked to send a letter. The PD now handles these complaint but it is usually only done on first shift. I will email Capt. Long regarding this issue. Follow up 3-28-16. 3-28-16 dp No vehicles were observed in the grass, close.					
521 MC KAIG AVE	BRUSH LETTER N/A	03/17/16 20160318	03/17/16 SIATU, MICHAEL	07/15/16 DEBRIS REMOVED	03/24/16
3-16-16 sb Brush/debris. Certificate, follow up 3-24-16.					
251 ROBINHOOD LN	BRUSH LETTER N/A	03/16/16 20160295	03/16/16 GEORGE, CHRISTOPHER AND TA	07/14/16 DEBRIS REMOVED	03/23/16
3-16-16 dp Small pile of brush in the gutter, Certificate letter followup 3-23-16. 3-23-16 dp Debris gone close.					

CITY OF TROY - WARD THREE
VIOLATIONS BY ADDRESS
03/16/2016 TO 03/30/2016

110 CANAL ST E	OUTDOOR STORAGE	03/18/16 20160354	03/18/16 S.E.T. LANDGROUP	04/17/16	
3-18-16 dp I sent a friendly letter recently regarding the outdoor storage at this location. Outdoor storage of used tires,					

wood items, RV's and trailers which this location is not zoned for. Certificate letter follow up 4-19-16.

321 CANAL ST E	TRASH & DEBRIS	03/24/16 20160373	03/24/16 WAGNER, SHIRLEY	07/22/16	
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3-24-16 dp Complaint of trash about the property. Letter sent both ways to owner with cc to tenant. follow up 3-30-16.

822 FRANKLIN ST E	ZONING PROBLEMS	03/28/16 20160383	03/28/16 DAVIS, DON	07/26/16	
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3-28-16 dp TPD was in our office first thing this morning. He had been to this location on 3-21-16 and warned the tenant about parking on the grass. Since that time this tenant went and had "New Gravel" put down where no gravel ever existed previously. Officer Gates also provided pictures of this new gravel. I checked B&C and got a number for the owner, Mr. Don Davis and we talked about this. I explained that this gravel would have to be removed and there is no permit for this type of work. I will send a formal violation letter outlining the time line for removing this gravel. Follow up 4-4-16.

532 FRANKLIN ST W	BRUSH LETTER	03/17/16 20160315	03/17/16 HIRSCH, CHAD	07/15/16	
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3-16-16 sb Pile of leaves. Certificate, follow up 3-24-16
3-24-16 sb Debris still there, 48hr letter, follow up 3-30-16

1114 LONG ST	TRASH & DEBRIS CLOVERDALE	03/23/16 20160365	03/23/16 MORGAN, CHAD	07/21/16	
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3-23-16 dp While on another complaint in the area, I was met by a neighbor with this complaint. Certificate letter follow up 3-29-16.
3-28-16 dp I received a call from Chad asking for more time to finish cleanig up. He said he has most of it done but needs another weekend, due to work, to complete. I agreed but I was by this location and he has done a remarkable amount of work, Follow up 4-4-16.

1118 LONG ST	BRUSH LETTER N/A	03/16/16 20160293	03/16/16 MORGAN, CHAD	07/14/16	03/29/16 DEBRIS REMOVED
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3-16-16 dp Fairly sizeable pile of brush in the gutter. Certificate letter follow up 3-23-16.
3-23-16 dp This brush remains but it has a new owner since I sent this initial letter. I will resend Certificate to the new owner, Chad Morgan, at 1114 Long St. Follolw up 3-29-16.
3-29-16 dp The tree debris has been removed Close.

124 MONROE ST S	TRASH & DEBRIS	03/23/16 20160368	03/23/16 M3 MANAGED SVS LLC	07/21/16	
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3-23-16 sb Trash in front of garage. Certified, follow up 3-31-16. Looks like the trash has not been set out for awhile.

211 MOREHEAD ST	BRUSH LETTER N/A	03/16/16 20160294	03/16/16 WALKER, CHAD	07/14/16	03/23/16 DEBRIS REMOVED
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3-16-16 dp Small pile of brush in the gutter. Certificate letter follow up 3-23-16.
3-23-16 dp Debris gone close.

703 MULBERRY ST S	TRASH & DEBRIS N/A	03/29/16 20160386	03/29/16 KLINE, DAVID	07/27/16	
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3-29-16 dp There is trash bags and furniture in the curb lawn at this location. I spoke with Jerry Mullins regarding this last week and he said he would take a look and see if this was a vacant location and if so the City would not remove the trash. It appears as this is vacant. Certificate letter follow up 4-4-16.

808 RACE DR	TRASH & DEBRIS N/A	03/21/16 20160359	03/21/16 BURTON, RALPH	07/19/16	03/28/16 TRASH REMOVED
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3-21-16 dp Various trash and tires about the rear of this property. Certificate letter follow up 3-26-16.
3-28-16 dp trash gone and the rest of the items not trash have been either removed or placed neatly in proper spaces. Close.

630 SCOTT ST	BRUSH LETTER N/A	03/16/16 20160289	03/16/16 DETRICK, JERALD	07/14/16	03/22/16 TRASH REMOVED
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3-16-16 dp Small pile of brush in the gutter not bundled or bagged. Certificate letter follow up 3-22-16.
3-22-16 dp Jerry Mullins spoke with this owner and went ahead and removed the debris but told him that it would not happen

again. Close.

109 SOUTHVUE DR	SIGN VIOLATIONS	03/17/16	03/17/16	07/15/16	03/21/16
	N/A	20160317	SEIPEL, NATHAN	COMPLETED	
3-17-16 dp I received a neighbor complaint that this location which has a temporary business sign in the front yard. Certificate letter follow up 3-21-16.					
3-21-16 dp Sign still in place with no response from the homeowner so I removed the temporary sign. Once I was back in the office this afternoon Mr Seipel called me in regards to this sign. I explained the sign code and what is and is not allowed. He asked for his sign back and I obliged. Close.					

622 UNION ST S	TRASH & DEBRIS	03/21/16	03/21/16	07/19/16	03/28/16
	N/A	20160360	MONTGOMERY, JUNE	REMOVED BY CONTRACTOR	
3-21-16 dp complaint of trash about the rear of the property. Certificate letter follow up 3-26-16.					
3-28-16 dp Trash remains send to OZ close.					

CITY OF TROY - WARD FOUR
VIOLATIONS BY ADDRESS
03/16/2016 TO 03/30/2016

1201 BARNHART RD	SIGN VIOLATIONS	03/16/16	03/16/16	07/14/16	03/21/16
		20160314	CLEARY BUILDING CORP	COMPLETED	
3-16-16 dp During routine inspections I noticed a Temporary Banner hanging on the perimeter fence at this location. I spoke with a manager in 2015 regarding temp signs and explained our rules. He applied for a temp sign permit but never hung a banner. I will send the violastion letter to the manager at this location and follow up 3-21-16.					
3-21-16 dp Sign removed close.					

531 PETERS AVE	TRASH & DEBRIS	03/21/16	03/21/16	07/19/16	03/28/16
		20160357	CARLSON, SCOTT (TRUSTEE)	TRASH REMOVED	
3-21-16 dp Trash along the side of the garage and a pile of old grass clippings and brush at the rear of the garage. Certificate letter follow up 3-26-16.					
3-28-16 dp Trash gone close.					

0 PETERS RD	PERMIT VIOLATION	03/21/16	03/21/16	07/19/16	03/22/16
		20160361	DAVIS, RALPH E.	NO VIOLATION	
3-21-16 dp I noticed that a house on this lot has been partially demolished. I find no permit for this demo and will place a Stop Work Order at this location 3-22-16. This location is actually addresses 511 1/2 Peters Rd. and has a second house on the same zoning lot and it is addressed 513 1/2 Peters Rd.					
3-22-16 dp I went to stop work on this and learned that Mr. Davis had gotten a County permit. Neil Teaforde came out on site and inspected the well and septic and signed off and the County had already signed off on gas and electric. I had Mr. Davis fill out a demo permit application with doubled fees. I will issue a permit for our records and this is closed.					

1099 PETERS RD	PERMIT VIOLATION	03/21/16	03/21/16	07/19/16	03/29/16
		20160358	OSBORNE, MICHAEL R.	COMPLETED	
3-21-16 dp Complaint of a shed on this property without a permit. Certificate follow up 3-29-16.					
3-29-16 dp Mr Osborne came in 3-25-16 and applied for a shed permit, and also for a deck permit. His applications were approved 3-28-16 by Engineering and Zoning and issued, Close.					

2365 WORTHINGTON DR	BRUSH LETTER	03/16/16	03/16/16	07/14/16	03/23/16
	CONWOOD ESTATES	20160312	HADDAD, JENNIFER L.	DEBRIS REMOVED	
3-16-16 dp Large pile of ornamental grasses have been cut and piled in the street gutter, Certificate letter follow up 3-23-16.					
3-23-16 dp Debris gone close.					

2535 WORTHINGTON DR	BRUSH LETTER	03/16/16	03/16/16	07/14/16	03/23/16
	KENSINGTON 4	20160313	SHIVERDECKER, MATTHEW	DEBRIS REMOVED	

3-16-16 dp Small pile of tree debris in the street gutter not bundled or bagged. Certificate letter follow up 3-23-16.
3-23-16 dp Debris gone close.

1 PAUL REVERE WAY PROPERTY MAINTENANCE 03/17/16 03/17/16 07/15/16
N/A 20160316 TIPP PROPERTIES LLC
3-17-16 dp I received a complaint from a resident of this Condo Community regarding the shape of the asphalt. There are potholes that pose a hazard to drivers. Certificate letter follow up 4-18-16.

CITY OF TROY - WARD FIVE
VIOLATIONS BY ADDRESS
03/16/2016 TO 03/30/2016

727 BERKSHIRE RD BRUSH LETTER 03/16/16 03/16/16 07/14/16 03/23/16
WESTBROOK 5 20160306 CHANEY, BOWEN G. DEBRIS REMOVED
3-16-16 dp Small pile of tree debris in the street gutter, Certificate letter follow up 3-23-16.
3-23-16 dp Debris gone close.

726 BRANFORD RD BRUSH LETTER 03/16/16 03/16/16 07/14/16 03/23/16
WESTBROOK 7 20160310 BROWN, RICHARD DEBRIS REMOVED
3-16-16 dp Small pile of yard waste in the street gutter, Certificate letter follow up 3-23-16.
3-23-16 dp Debris gone close.

1496 CORNISH RD BRUSH LETTER 03/28/16 03/28/16 07/26/16
N/A 20160385 ANDERSON, MARJORIE
3-28-16 dp I noticed a decent sized pile of brush in the curb gutter on the N Dorset side of this address. This location is a previous violator. Certificate to owner with cc to tenant follow up 4-3-16.

1575 CORNISH RD BRUSH LETTER 03/16/16 03/16/16 07/14/16 03/23/16
N/A 20160304 KRIVES, JAMES F. DEBRIS REMOVED
3-16-16 dp Small pile of yard/tree debris in the street gutter Certificate letter follow up 3-23-16.
3-23-16 dp Debris gone close.

1474 COVENT RD BRUSH LETTER 03/16/16 03/16/16 07/14/16 03/23/16
WESTBROOK 2 20160299 BANTZ, JEFF DEBRIS REMOVED
3-16-16 dp Pile of yard debris in the street. Certificate letter follow up 3-23-16.
3-23-16 dp Debris gone close.

764 DORSET RD N BRUSH LETTER 03/18/16 03/18/16 07/16/16 03/28/16
N/A 20160351 MEEK, LOIS DEBRIS REMOVED
3-18-16 dp Small pile of unbundled/bagged brush. Certificate letter follow up 3-23-16.
3-23-16 dp Debris remains send 48 hr follow up 3-28-16.
3-28-16 dp Debris gone close.

207 RIDGE AVE S BRUSH LETTER 03/17/16 03/17/16 07/15/16 03/24/16
N/A 20160322 BURNS, JOHN DEBRIS REMOVED
3-16-16 sb Brush/debris. Certificate, follow up 3-24-16
3-24-16 sb Debris removed. Close.

210 RIDGE AVE S BRUSH LETTER 03/17/16 03/17/16 07/15/16
20160323 KING, CHRISTOPHER
3-16-16 sb Brush/debris. Certificate, follow up 3-24-16
3-22-16 sb Christopher King tel 803-319-6175. He said that the debris belongs to "a neighbor" across the street - but he doesn't know which one. He won't talk to them and has said he will hire a surveyor to find the property line because he feels the debris is on the line. I told him that's fine but in the mean time he has to remove the debris, or we will have to remove it.
3-24-16 sb Debris still there, 48 hr letter, follow up 3-30-16

215 RIDGE AVE S	BRUSH LETTER N/A	03/17/16 20160321	03/17/16 GRUNKEMEYER, TIMOTHY	07/15/16 DEBRIS REMOVED	03/24/16
3-16-16 sb Brush/debris. Certificate, follow up 3-24-16 3-24-16 sb Debris removed. Close.					
227 RIDGE AVE S	BRUSH LETTER N/A	03/17/16 20160320	03/17/16 WINTERS, DONALD	07/15/16	
3-16-16 sb Brush/debris. Certificate, follow up 3-24-16 3-24-16 sb Debris still there, send 48 hr letter, follow up 3-30-16					
480 WESTON RD N	BRUSH LETTER N/A	03/16/16 20160311	03/16/16 WOGOMAN, YVONNE C	07/14/16	
3-16-16 dp This location has slowly been clearing out a massive overgrowth of the property but much of the debris now is just lying and not being removed. Certificate letter follow up 3-23-16. 3-21-16 dp I received a call from this owner and she asked for more time which I agreed to. She is completely clearing out a heavily overgrown rear yard and this will take some time to complete. I will follow up every 2 weeks to monitor progress.					
717 WINDSOR RD	BRUSH LETTER N/A	03/18/16 20160352	03/18/16 WINNER, JOHN	07/16/16 DEBRIS REMOVED	03/23/16
3-18-16 dp A few long limbs not bundled. Certificate letter follow up 3-23-16. 3-23-16 dp Debris gone close.					
728 WINDSOR RD	BRUSH LETTER WESTBROOK 5	03/18/16 20160353	03/18/16 GUTERMUTH, GEORGE	07/16/16 COMPLETED	03/23/16
3-18-16 dp A few tree branches not bundled. Certificate letter follow up 3-23-16. 3-23-16 dp This has been bundled and is ready for pick up Close.					
1451 SURREY RD	BRUSH LETTER WESTBROOK 4	03/16/16 20160305	03/16/16 SCARFF, MICHAEL L.	07/14/16 DEBRIS REMOVED	03/23/16
3-16-16 dp Small pile of loose tree debris in the street gutter. Certificate letter follow up 3-23-16. 3-23-16 dp Debris gone close.					
1507 SUSSEX RD	BRUSH LETTER N/A	03/16/16 20160300	03/16/16 DEETER, ROBERT	07/14/16 DEBRIS REMOVED	03/23/16
3-16-16 dp 1 large tree limb and a few smaller ones in the curblawn. Certificate letter follow up 3-23-16. 3-23-16 dp Debris gone close.					
1528 SUSSEX RD	BRUSH LETTER WESTBROOK 3	03/16/16 20160301	03/16/16 EVANS, TARA & SCOTT	07/14/16 TRASH REMOVED	03/28/16
3-16-16 dp Sizeable tree limb in the street gutter. Certificate follow up 3-23-16. 3-23-16 dp Debris remains send 48 hr follow up 3-28-16. 3-28-16 dp Tree debris gone. I received an email from this owner over the weekend. He thought it was comical and a waste of City resources to send such letters but that he had complied. Close.					
1538 SUSSEX RD	BRUSH LETTER N/A	03/16/16 20160302	03/16/16 DENIAL, DUFF W.	07/14/16 DEBRIS REMOVED	03/23/16
3-16-16 dp Small pile of tree limbs in the street gutter. Certificate letter follow up 3-23-16. 3-23-16 dp Debris gone close.					
324 TRADE SQ W	BRUSH LETTER N/A	03/16/16 20160307	03/16/16 PIERCE BUSINESS PROPERTIES	07/14/16 DEBRIS REMOVED	03/23/16
3-16-16 dp Leaves in the street gutter, called owner who is usually great with removal of debris in a timely manner. Follow up 3-21-16. 3-23-16 dp Debris gone close.					
326 TRADE SQ W	BRUSH LETTER N/A	03/16/16 20160308	03/16/16 PIERCE BUSINESS PROPERTIES	07/14/16 DEBRIS REMOVED	03/23/16
3-16-16 dp Leaves in the street gutter, called owner who is usually great with removal of debris in a timely manner. Follow					

up 3-21-16.
3-23-16 dp Debris gone close.

1025 MC KAIG AVE	BRUSH LETTER	03/17/16 20160319	03/17/16 CAREY, CHRISTOPHER	07/15/16	
3-16-16 sb Brush/debris. Certified, follow up 3-24-16 3-23-16 sb Green card dated 3-19-16. Follow up 3-29-16					
1112 MC KAIG AVE	TRASH & DEBRIS	03/23/16 20160366	03/23/16 ROSS, EDWARD	07/21/16	
3-23-16 sb Trash, mattresses, and junk beside garage. Certificate, follow up 3-29-16					
1235 NORTH RD	BRUSH LETTER	03/16/16 20160309	03/16/16 BEDFORD, RITA	07/14/16	03/23/16
3-16-16 dp Small pile of tree debris in the street gutter. Certificate letter follow up 3-23-16. 3-23-16 dp Debris gone close.					
1651 NORTH RD	BRUSH LETTER WESTBROOK 7	03/16/16 20160303	03/16/16 KENNISON, MARK	07/14/16	03/23/16
3-16-16 dp There is a large piece of tree trunk in the curblawn. Appears this is left from a tree being cut down, Certificate letter follow up 3-23-16. 3-23-16 dp Debris gone close.					
215 PENN RD	BRUSH LETTER EDGEHILL	03/22/16 20160363	03/22/16 SHAEFFER, SALLY	07/20/16	
3-22-16 dp I received a call from Jerry Mullins regarding leaves in the street in front of this location. He sent me a picture so I could expedite a letter to the owner. Certificate follow up 3-27-16. 3-29-16 sb Sally Shaeffer tel. I had to explain our policy to her. I gave her until 4-5-16 to get picked up.					

CITY OF TROY - WARD SIX
VIOLATIONS BY ADDRESS
03/16/2016 TO 03/30/2016

2510 ABERDEEN CT	BRUSH LETTER KINGS CHAPEL 4	03/18/16 20160331	03/18/16 THOMAS, SUSY	07/16/16	
3-16-16 sb Brush/debris. Certificate, follow up 3-24-16 3-25-16 sb Green card dated 3-22-16, follow up 3-29-16					
2512 FOXCHASE CT W	BRUSH LETTER N/A	03/18/16 20160328	03/18/16 BEATY, JACK	07/16/16	03/24/16
3-16-16 sb Brush/debris. Certificate, follow up 3-24-16 3-24-16 sb Debris removed. Close.					
2518 FOXCHASE CT W	BRUSH LETTER N/A	03/18/16 20160329	03/18/16 THOKEY, BROCK	07/16/16	03/24/16
3-16-16 sb Brush/debris. Certificate, follow up 3-24-16 3-24-16 sb Debris removed. Close.					
2521 GLENMORE CT	BRUSH LETTER KINGS CHAPEL 4	03/18/16 20160330	03/18/16 CARLSON, KATRINA	07/16/16	03/24/16
3-16-16 sb Brush/debris. Certificate, follow up 3-24-16 3-24-16 sb Debris removed. Close.					
2401 HIGHLAND CT	BRUSH LETTER	03/17/16	03/17/16	07/15/16	03/24/16

	N/A	20160324	BORTON, JEANNINE	DEBRIS REMOVED	
3-16-16 sb Brush/debris.	Certificate, follow up 3-24-16				
3-24-16 sb Debris removed.	Close.				

302 KINGS CHAPEL DR	BRUSH LETTER	03/18/16	03/18/16	07/16/16	
	N/A	20160326	TEMPLE, MARGARET		
3-16-16 sb Brush/debris.	Certified, follow up 3-24-16				

401 KINGS CHAPEL DR	BRUSH LETTER	03/18/16	03/18/16	07/16/16	03/24/16
	N/A	20160327	THOMPSON, RENEE	DEBRIS REMOVED	
3-16-16 sb Brush/debris.	Certificate, follow up 3-24-16				
3-24-16 sb Debris removed.	Close.				

2404 ST ANDREWS DR	BRUSH LETTER	03/17/16	03/17/16	07/15/16	
	KINGS CHAPEL 1	20160325	BAIR, MICHAEL		
3-16-16 sb Brush/debris.	Certificate, follow up 3-24-16				
3-21-16 sb Message from Diana Bair 335-2147,	debris cleaned up.				

CITY OF TROY
 PERMIT WORK TYPE STATISTICS REPORT
 PERMIT DATE: 03/16/2016 TO 03/30/2016

SUBTOTALS	PERMITS	FEEs	EST. COST

D DEMOLITION-COMMERCIAL	1	29.20	0
D DEMOLITION-RESIDENTIAL	1	0.00	0
F FENCE	2	20.00	0
S FREESTANDING SIGN	1	91.17	0
S WALL SIGN	1	63.50	0
ST SEWER TAP - RES	3	3,600.00	0
WT WATER TAP-RES	4	6,770.00	0
Z CELL TOWER	1	100.00	0
Z DECK - RESIDENTIAL	1	0.00	0
Z GARAGE-DETACHED	1	25.00	0
Z PATIO COVER	1	25.00	0
Z SHED	3	100.00	0
Z SINGLE FAMILY W/BASMNT	4	442.12	0
=====			
GRAND TOTAL	24	\$11,265.99	

CITY OF TROY - WARD ONE
PERMIT REPORT
03/16/2016 TO 03/30/2016

1288WT	3/16/2016	1060 BARRINGTON DR	HARLOW BUILDERS	0	HARLOW BUILDERS
WATER TAP-RES		N/A	701 N MARKET ST	2000.00	701 MARKET ST N
		10513		LV	3243 TROY, OH 45373
		3/4" WATER TAP-RESIDENTIAL 3/16/16	TROY, OH 45373	NL	2970 937-339-9944
		HALIFAX ESTATES	0/0/	BA	2133
		/			

3029ST	3/16/2016	1060 BARRINGTON DR	HARLOW BUILDERS	0	HARLOW BUILDERS
SEWER TAP - RES		N/A	701 N MARKET ST	1200.00	701 MARKET ST N
		10513		LV	3243 TROY, OH 45373
		5/8" SEWER TAP - RESIDENTIAL, 3/16/16	TROY, OH 45373	NL	2970 937-339-9944
		HALIFAX ESTATES	0/0/	BA	2133
		/			

2016023Z	3/22/2016	1060 BARRINGTON DR	HARLOW BUILDERS	0	HARLOW BUILDERS
SINGLE FAMILY W/BASMNT		N/A	701 N MARKET ST	112.13	701 MARKET ST N
		10513		LV	3243 TROY, OH 45373
		SINGLE FAMILY W/BASEMENT, 3-15-16	TROY, OH 45373	NL	2970 937-339-9944
		HALIFAX ESTATES	0/0/	BA	2133
		/			

2016031Z	3/29/2016	1056 CRESTVIEW	POWELL, JOHN	0	
SHED		N/A	20 DAKOTA ST W	25.00	
		N/A		LV	0
		SHED, 3/23/16	TROY, OH 45373	NL	0
		0/0/		BA	0
		/			

2016022Z	3/22/2016	1068 WINDMILL CT	HARLOW BUILDERS INC	0	HARLOW BUILDERS
SINGLE FAMILY W/BASMNT		N/A	701 N MARKET ST	108.22	701 MARKET ST N
		10523		LV	2518 TROY, OH 45373
		SINGLE FAMILY W/ BASEMENT	TROY, OH 45373	NL	3304 937-339-9944
		HALIFAX	0/0/	BA	2518
		/			

1289WT	3/16/2016	1076 WINDMILL CT	HARLOW BUILDERS	0	HARLOW BUILDERS
WATER TAP-RES		N/A	701 N MARKET ST	2000.00	701 MARKET ST N
		10521		LV	3218 TROY, OH 45373
		3/4" WATER TAP-RESIDENTIAL, 3/16/16	TROY, OH 45373	NL	4688 937-339-9944
		HALIFAX ESTATES	0/0/	BA	1470
		/			

2016024Z	3/22/2016	1076 WINDMILL CT	HARLOW BUILDERS	0	HARLOW BUILDERS
SINGLE FAMILY W/BASMNT		N/A	701 N MARKET ST	129.06	701 MARKET ST N
		10521		LV	3218 TROY, OH 45373
		SINGLE FAMILY W/BASEMENT, 3-16-16	TROY, OH 45373	NL	4688 937-339-9944
		HALIFAX ESTATES	0/0/	BA	1470
		/			

3030ST	3/16/2016	1076 WINDMILL CT	HARLOW BUILDERS	0 HARLOW BUILDERS
SEWER TAP - RES		N/A	701 N MARKET ST	1200.00 701 MARKET ST N
		10521		LV 3218 TROY, OH 45373
		5/8" SEWER TAP-RESIDENTIAL, 3/16/16	TROY, OH 45373	NL 4688 937-339-9944
		HALIFAX ESTATES	0/0/	BA 1470
		/		

CITY OF TROY - WARD TWO
PERMIT REPORT
03/16/2016 TO 03/30/2016

2016021Z	3/17/2016	910 ARROW DR	KEYSTONE HOMES IN TROY	0 KEYSTONE HOMES
SINGLE FAMILY W/BASMNT		N/A	PO BOX 980	92.71 PO BOX 980
		10531		LV 1873 TROY, OH 45373
		SINGLE FAMILY W/BASEMENT 3/14/16	TROY, OH 45373	NL 2398 937-332-8669
		NOTTINGHAM	0/0/	BA 1873
		/		

2016023S	3/16/2016	500 ELM ST N	FRANZER, MARY BETH	0
FREESTANDING SIGN		N/A	500 ELM ST N	91.17
		N/A		LV 0
		SIGN, J&D BICYCLES, 3/14/16	TROY, OH 45373	NL 0
		0/0/		BA 0
		/		

2016024S	3/24/2016	120 MAIN ST W	VEROS LLC	0 SELECT SIGNS
WALL SIGN		N/A	124 MAIN ST W	63.50 1508 E SECOND ST
		N/A		LV 0 DAYTON, OH 45403
		GUDORF LAW GROUP-WALL SIGN-2/26/16	TROY, OH 45373	NL 0 937-262-7095
		0/0/		BA 0
		/		

2016016F	3/22/2016	621 SHAFTSBURY RD	ISAROSKUL, JESSICA & TEERAYUT	0
FENCE		D08054852	621 SHAFTSBURY RD	10.00
		N/A		LV 0
		FENCE 12/15	TROY, OH 45373	NL 0
		SHERWOOD MANOR 2	0/0/	BA 0
		/		

CITY OF TROY - WARD THREE
PERMIT REPORT
03/16/2016 TO 03/30/2016

2016026Z	3/28/2016	802 CRAWFORD ST S	BAYMAN, MATT	0
GARAGE-DETACHED		N/A	802 CRAWFORD ST S	25.00
		N/A		LV 0
		CAR PORT ENCLOSURE, 802 S CRAWFORD, 3/2	TROY, OH 45373	NL 0
		N/A	0/0/	BA 0

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2016017F	3/28/2016	20 DAKOTA ST W	CUMMINGS, ERIKA	0
FENCE		N/A	20 DAKOTA ST W	10.00
		N/A		LV 0
		20 W DAKOTA, FENCE, 3/21/16	TROY, OH 45373	NL 0
		0/0/		BA 0

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2016028Z	3/28/2016	229 MULBERRY ST S	BOWMAN, LES	0
CELL TOWER		N/A	4950 W BAUSMAN RD	100.00
		N/A	FAX 614-340-7971	LV 0
		WIRELESS, ROOFTOP, 3/25/16	PIQUA, OH 45356	NL 0
		0/0/		BA 0

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2016025Z	3/24/2016	513 MULBERRY ST S	BAYMAN, MATTHEW	0 WAYMIRE BARNS
SHED		N/A	513 S MULBERRY ST	25.00
		N/A	513 S MULBERRY ST	LV 0
		SHED, 3/21/16	TROY, OH 45373	NL 0
		0/0/		BA 0

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2016027Z	3/28/2016	187 SOUTHVIEW DR	GREER, DANNY	0
PATIO COVER		N/A	187 SOUTHVIEW DR	25.00
		N/A		LV 0
		ROOF AND PORCH EXTENSIONS	TROY, OH 45373	NL 0
		0/0/		BA 0

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CITY OF TROY - WARD FOUR
PERMIT REPORT
03/16/2016 TO 03/30/2016

2016004D	3/29/2016	5135 PETERS AVE	DAVIS, RALPH	0
DEMOLITION-RESIDENTIAL		N/A	511-1/2 PETERS AVE	
		N/A		LV 0
		DEMO, 513-1/2 PETERS AVE	TROY, OH 45373	NL 0
		0/0/		BA 0

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2016029Z	3/28/2016	1099 PETERS RD	OSBORNE, MICHAEL R.	0
SHED		N/A	1099 PETERS RD.	50.00
		10504		LV 0
		SHED, 1099 PETERS RD	TROY, OH 45373	NL 0
				BA 0

0/0/

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2016030Z	3/28/2016	1099 PETERS RD	OSBORNE, MICHAEL R.	0
DECK - RESIDENTIAL		N/A	1099 PETERS RD.	0.00
		10504		LV 0
		DECK, 1099 PETERS RD, 3/24/16	TROY, OH 45373	NL 0
				BA 0

0/0/

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CITY OF TROY - WARD FIVE
PERMIT REPORT
03/16/2016 TO 03/30/2016

No permits issued in Ward Five from 03/16/2016 to 03/30/2016.

CITY OF TROY - WARD SIX
PERMIT REPORT
03/16/2016 TO 03/30/2016

3031ST	3/29/2016	2313 LARKSPUR DR	DENLINGER & SONS BUILDERS	0 DENLINGER & SONS
SEWER TAP - RES		N/A	1291 ARCHER DR	1200.00 1291 ARCHER DRIVE
		10488		LV 0 TROY, OH 45373
		5/8" SEWER TAP, RESIDENTIAL, 3/29/16	TROY, OH 45373	NL 0 937-335-9096
				BA 0

0/0/

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1291WT	3/29/2016	2313 LARKSPUR DR	DENLINGER & SONS BUILDERS	0 DENLINGER & SONS
WATER TAP-RES		N/A	1291 ARCHER DR	2000.00 1291 ARCHER DRIVE
		10488		LV 0 TROY, OH 45373
		3/4" WATER TAP, RESIDENTIAL, 3/29/16	TROY, OH 45373	NL 0 937-335-9096
				BA 0

0/0/

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2016003D	3/21/2016	1901 MAIN ST W	CIRCLE K MIDWEST	0 T.C. HOLZEN INC
DEMOLITION-COMMERCIAL		D08103428	4080 JONATHAN MOORE PK	29.20 3108 GEARHARDT RD
		N/A		LV 3243 TROY, OH 45373
		CIRCLE K/DEMO/3-21-16	COLUMBUS, OH 47201	NL 2970 937-667-0870
				BA 2133

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1290WT	3/21/2016	2225 SHAMROCK LN	FIRST TROY CORP	0 FIRST TROY
WATER TAP-RES		N/A	997 MARKET ST N SUITE 4	770.00 997 N MARKET ST., SUITE 4
		9145		LV 0 TROY, OH 45373
		1" WATER TAP - RESIDENTIAL	TROY, OH 45373	NL 0 937-335-5223
		N/A		BA 0

April 2016

Sun	Mon	Tue	Wed	Thu	Fri	Sat
					1	2
3	4 <i>7:00 p.m. Council</i>	5 <i>11:00 a.m. Joint Rec/ Park Board @ City Hall</i>	6	7	8	9
10	11	12	13 <i>3:30 p.m. Plan- ning Commission</i>	14	15	16
17	18 <i>7:00 p.m. Council</i>	19	20 <i>4:00 p.m. Rec Board @ Hobart Arena</i>	21	22	23
24	25	26	27 <i>3:30 p.m. Plan- ning Commission</i>	28	29	30